

**PAID SICK LEAVE COMMISSION
MEETING MINUTES
WEDNESDAY, APRIL 17, 2019
10:00 A.M.
1901 S. ALAMO**

Members Present:	<p>Danielle Hargrove, <i>Owner, DLH ADR Solutions, Chair</i> Lisa Fullerton, <i>President/CEO, A Novel Idea</i> Alex Birnel, <i>Advocacy Manager, Move Texas</i> Joleen Garcia, <i>Community Organizer, Texas Organizing Project</i> Linda Chavez-Thompson, <i>Labor Leader, SA Labor Council</i> Lori Rodriguez, <i>Assistant Professor, Palo Alto College</i> Adelita Cantu, <i>Associate Professor, UT Health SA</i> Kausi Subramaniam, <i>Board Member, Alamo Asian American Chamber</i> Christine Arredondo, <i>Business Owner</i> Martin Gutierrez, <i>AVP Public Policy, SA Chamber of Commerce</i> Dave Petersen, <i>EVP, SA Chamber of Commerce</i> Diane Sanchez, <i>CEO, San Antonio Hispanic Chamber of Commerce</i> Sasha Begum, <i>Sasha Begum Law</i> Rev. C.J. Littlefield, <i>True Light Christian Fellowship</i></p>
Members Absent:	Al Arreola Jr., <i>CEO, South San Antonio Chamber of Commerce</i>
Staff Present:	Edward Guzman, <i>Deputy City Attorney</i> ; John Peterek, <i>Assistant to the City Manager</i> ; Denice F. Trevino, <i>Office of the City Clerk</i>
Others Present:	Councilmember Manny Pelaez, <i>District 8</i> ; Roseanna Garza, <i>Journalist, Rivard Report</i>

Call to Order

Chairwoman Hargrove called the meeting to order.

1. Welcome and Opening Remarks

Chairwoman Hargrove stated that the group would meet several times before June 2019.

2. Briefing on Legal Framework

Ed Guzman stated that a petition with over 140,000 signatures was submitted as an Ordinance for Paid Sick Leave. He stated that City Council adopted said Ordinance as presented in August 2018. He noted that the implementation and enforcement of the Ordinance would begin on August 1, 2019 for businesses with six or more employees and on August 1, 2021 for businesses with five or less employees. He stated that the Ordinance would apply to businesses which have employees performing 80 hours of work per year in San Antonio and employees would accrue one hour of paid sick leave for every 30 hours worked. He noted that small employers with 15

employees or less would have to provide a minimum of 48 hours of paid sick leave per year and employers with 15 employees or more would have to provide a minimum of 64 hours of paid sick leave per year to their employees. He added that there was a \$500 civil fine per violation of the Ordinance. He noted that the City of Austin adopted an Ordinance on February 15, 2018 for earned sick time and on April 24, 2018; a business group sued the City of Austin to attempt to enjoin said Ordinance. He stated that the State of Texas intervened six days later and stated that the Ordinance was pre-empted by State Law, as adding benefits would raise the minimum wage and violate the State Minimum Wage Law. He noted that this was brought before the Third Court of Appeals in November 2018 where said Court ruled in favor of the business group and the State of Texas. He stated that the Third Court of Appeals went a step further and ruled on the merits that the Ordinance was unconstitutional. He noted that the City of Austin submitted a petition for review to the Supreme Court on March 29, 2018. He mentioned that the State and the business group now have the opportunity to file their own responses. He stated that if the Supreme Court accepted the petition for review; it would occur in the fall of 2019 and a decision would probably be made by the end of the year.

Chairwoman Hargrove stated that the purpose of the Paid Sick Leave Commission was to ensure that the Ordinance appropriately considers all perspectives and minimizes adverse impacts.

Mr. Guzman stated that Senate Bill (SB) 15 was filed in the Legislature and sought to pre-empt Paid Sick Leave Ordinances and restrict a government entity from mandating employment benefits, scheduling practices, leave, and the use of criminal background checks. He noted that the original SB included an express pre-emption for Non-Discrimination Ordinances and a substitute SB was created which did not include an express pre-emption for Non-Discrimination Ordinances. He stated that four SBs were created instead and were voted out of the Senate last week. He noted that the House of Representative's Bill remains in the original form and two companion bills, one in the Senate and one in the House of Representatives, were filed which would institute a requirement for Paid Sick Leave. He stated that he would provide the numbers for said bills.

Chairwoman Hargrove stated that she would provide information on said bills as requested and noted that members could communicate with her via email.

Mr. Guzman provided an overview of the Open Meetings Act and instructions concerning same.

3. Discussion on Future Meetings

A discussion ensued regarding future meetings and it was determined that the next meeting would be held on May 8, 2019 at 10:00 a.m. Members discussed the timeline for completion of the Ordinance and John Peterek noted that the City Council did not meet in July. Mr. Guzman stated that he would provide a rough timeline which identified critical milestones which would impact the decision to adhere to the August 1, 2019 deadline. He noted that he would provide general updates on items related to the Legislature.

Councilmember Pelaez stated that the Ad Hoc Committee on Paid Sick Leave and Mayor Nirenberg selected the members of the Paid Sick Leave Commission. He noted that Ms. Hargrove had experience in dispute resolution, was a labor arbitrator, and would serve as a neutral party.

John Peterek stated that he would provide backup for the agenda items for the next meeting.

Chairwoman Hargrove requested that members send an email by April 19, 2019 to her with their needs for the next meeting.

Adjourn

There being no further discussion, the meeting was adjourned at 11:00 a.m.



Danielle Hargrove
Danielle Hargrove, Chair

Respectfully Submitted,



Denice F. Trevino
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Office of the City Clerk

