

**PAID SICK LEAVE COMMISSION
MEETING MINUTES
TUESDAY, JUNE 4, 2019
9:00 A.M.
1901 S. ALAMO**

Members Present:	Danielle L. Hargrove, <i>Owner, DLH ADR Solutions, Chair</i> Al Arreola Jr., <i>CEO, South San Antonio Chamber of Commerce</i> Adelita Cantu, <i>Associate Professor, UT Health SA</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> Christine Arredondo, <i>Business Owner</i> Sasha Begum, <i>Sasha Begum Law</i> Rev. C.J. Littlefield, <i>St. John's Baptist Church</i>
Members Absent:	Lori Rodriguez, <i>Assistant Professor, Palo Alto College</i> Diane Sanchez, <i>CEO, San Antonio Hispanic Chamber of Commerce</i> Kausi Subramaniam, <i>Board Member, Alamo Asian American Chamber</i>
Staff Present:	Erik Walsh, <i>City Manager</i> ; Colleen Bridger, <i>Interim Assistant City Manager</i> ; Andy Segovia, <i>City Attorney</i> ; Edward Guzman, <i>Deputy City Attorney</i> ; Jeff Coyle, <i>Director, Government and Public Affairs</i> ; Jennifer Herriott, <i>Interim Director, Metro Health</i> ; John Peterek, <i>Assistant to the City Manager</i> ; Caitlin Krobot, <i>Special Projects Manager</i> ; Marisa Bono, <i>Mayor's Office</i> ; Denice F. Trevino, <i>Office of the City Clerk</i>
Others Present:	Councilmember Manny Pelaez, <i>District 8</i>

Call to Order

Chairwoman Hargrove called the meeting to order. She read a memorandum from Mayor Nirenberg thanking members of the Paid Sick Leave (PSL) Commission for their service and continued efforts to review and assess the PSL Ordinance which was distributed.

1. Approval of the Minutes from the May 8, 2019 Meeting

Reverend C.J. Littlefield requested that his affiliation with True Light Christian Fellowship be changed to St. John's Baptist Church on the minutes. Linda Chavez-Thompson moved to approve the minutes of the May 8, 2019 Paid Sick Leave Commission Meeting Minutes as amended. Joleen Garcia seconded the motion. The motion carried unanimously by those present.

2. Briefing and Review of Implementation and Enforcement Plans

Colleen Bridger stated that the Implementation Plan for the Paid Sick Leave (PSL) Ordinance included the following four sections:

1. Outreach and education
2. Compliance, training, and technical assistance
3. Resources
4. Investigations and enforcement

She noted that the PSL Ordinance would be effective August 1, 2019 and employers with less than 16 employees must provide said employees with 48 hours of PSL annually and employers with 16 or more employees must provide said employees with 64 hours of PSL annually. She stated that the civil penalty would be effective April 1, 2020 and that the PSL Ordinance gives the Metro Health Director authority to render interpretations and adopt policies and procedures in order to clarify and administer the application of the Ordinance. She stated that interpretations have been rendered which were minimally necessary and the method for enforcement would be complaint-driven. She noted that a listening tour would be held from June 24, 2019 through July 12, 2019 in which six meetings would be held throughout the community for the purpose of answering questions from community members and businesses regarding the PSL Ordinance. She stated that the questions and answers would be provided to the community and the PSL Commission. She noted that Metro Health has taken a flexible and nimble approach to implementation and enforcement of the PSL Ordinance.

Dr. Adelita Cantu asked if transcripts of the listening sessions would be available before the next Commission Meeting. Dr. Bridger replied that Commission Members could attend said sessions and the questions and answers to questions would be provided to the Commission. Danielle Hargrove asked if transcripts could be provided. Dr. Bridger replied that the sessions could be recorded but generation of transcripts could not be guaranteed. Dr. Cantu requested a list of the sessions and where they would be held. Dr. Bridger stated that once the schedule was confirmed; it would be distributed to members.

Linda Chavez-Thompson asked if the sessions would be categorized for certain groups or for mixed groups. Dr. Bridger replied that said sessions would be distributed geographically throughout the City and anyone could attend.

Sasha Begum asked of the time frame for solidifying the Ordinance. Dr. Bridger stated that the Ordinance would be implemented on August 1, 2019 and the Ordinance would become more solidified when the Commission makes their recommendations to City Council and they approve any modifications to the Ordinance. Ms. Hargrove stated that this should occur between August 1, 2019 and well before civil penalties would be levied on April 1, 2020.

Lisa Fullerton asked of funding for staff. Dr. Bridger stated that temporary staff would be hired before June 24, 2019 and existing Metro Health Staff would assist.

C.J. Littlefield asked if staff would stress that changes to the Ordinance would be possible after August 1, 2019 during the listening tour. Dr. Bridger replied that they would.

Joleen Garcia offered her support for the outreach effort. She encouraged outreach to groups most impacted by the Ordinance and submission of questions online. She emphasized the need to make the Ordinance clear when speaking to the community. Dr. Bridger stated that it would be made clear.

Al Arreola asked of the authority on the policies and procedures for implementation of the Ordinance. Dr. Bridger replied that it was the Metro Health Director. Ms. Hargrove stated that the Commission's charge was to make the Ordinance clear, understandable, and enforceable.

Alex Birnel asked if transparency could be expected in the complaint process. Dr. Bridger replied that it could. Ms. Hargrove asked of the complaint process. Dr. Bridger stated that several mechanisms for submitting a complaint would be made available. She noted that contact information for the 3-1-1 Office and an email address would be utilized for submission of a complaint. Dr. Bridger reviewed the process which would be utilized on the listening tour.

Mr. Littlefield expressed concern that the process was rushed. Dr. Bridger stated that the Ordinance would become effective August 1, 2019 and noted that Metro Health has been working on the Ordinance since it was passed.

Erik Walsh stated that as recommendations were made by the Commission; adjustments to the Ordinance may be made.

Al Arreola asked of the challenges to interpretation of the Ordinance. Dr. Bridger replied that the interpretation of the Ordinance would be made clear. Ms. Hargrove encouraged members to bring forward areas of the Ordinance which were not clear. Andy Segovia stated that once the Ordinance was implemented; more areas which were not clear may be evident.

Christine Arredondo asked of the boundaries of the Ordinance. Dr. Bridger stated that any part of the Ordinance could be modified.

Ms. Fullerton asked if the Commission existed to suggest areas of improvement or to enforce implementation. Ms. Hargrove replied that the subcommittees would address both.

Dr. Cantu asked of the outcomes of implementation and spoke of maintaining confidentiality regarding complaints. Dr. Bridger assured the Commission that confidentiality would be maintained.

Mr. Arreola asked if on August 1, 2019, employers would have to provide PSL to employees. Dr. Bridger replied that they would.

Ms. Fullerton suggested that the Commission meet more frequently.

Mr. Arreola asked if the Commission or City Council could delay the effective date. Ms. Hargrove stated that the Ordinance would be implemented according to the City Council's decision.

Mr. Segovia stated that the City Attorney's Office would be working closely with Dr. Bridger to ensure that the Ordinance was clear and easy to understand. He noted that his office would provide updates on the lawsuit against the City of Austin.

No action was required for Item 2.

3. Discussion and Recommendations of Suggested Actions by Paid Sick Leave Commission Subcommittees Prior to City Council Summer Recess

Mr. Birnel, chair of the Definition of PSL Subcommittee, stated that the definition of PSL vs. Paid Time Off (PTO) was discussed. He noted that the Subcommittee requested that Mr. Guzman be present at the next meeting to discuss this. Ms. Hargrove noted that there were other entities with PTO which were in compliance and some which were not. Mr. Birnel discussed the 60-day probationary period for one year of guaranteed work. Mr. Guzman stated that the probationary period would apply regardless of whether or not the employee had a contract. He noted that this could be clarified in the Ordinance.

Ms. Arredondo stated that the criteria for defining a small business varied.

Mr. Birnel asked if motions for modifications should be forwarded to the Commission. Ms. Hargrove replied that they should. Mr. Guzman requested that recommendations also be forwarded to him in order to draft the appropriate language for the Ordinance to ensure consistency.

Ms. Chavez-Thompson reported that the Compliance/Governance Subcommittee met and reviewed the best practices of other cities.

Ms. Begum stated that the Legal Subcommittee was analyzing the lawsuit against the City of Austin, the Texas Constitution, and Texas State Law.

Ms. Garcia stated that the Execution Subcommittee developed a document for frequently asked questions for implementation.

Ms. Hargrove asked Councilmember Pelaez what the Commission should provide to the City Council before they recess. Councilmember Pelaez stated that a progress report should be provided to the City Council by August 1, 2019.

Ms. Hargrove stated that the next meeting would be held on June 12, 2019 from 9:00 a.m. to 11:00 a.m. She noted that subsequent meetings would be held every Wednesday from 9:00 a.m.

to 11:00 a.m. John Peterek noted that this would necessitate Subcommittee Meetings before the next meeting.

No action was required for Item 3.

Adjourn

There being no further discussion, the meeting was adjourned at 10:23 a.m.

Danielle L. Hargrove, Chair

Respectfully Submitted,

*Denice F. Trevino
Office of the City Clerk*