

**PAID SICK LEAVE COMMISSION
MEETING MINUTES
WEDNESDAY, MAY 8, 2019
10:00 A.M.
1901 S. ALAMO**

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| Members Present: | Danielle L. 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> 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 Peterson, <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> |
| Members Absent: | Al Arreola Jr., <i>CEO, South San Antonio Chamber of Commerce</i> Adelita Cantu, <i>Associate Professor, UT Health SA</i> |
| Staff Present: | Edward Guzman, <i>Deputy City Attorney</i> ; John Peterek, <i>Assistant to the City 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> ; Joe Galli, <i>News 4 San Antonio</i> |

Call to Order

Chairwoman Hargrove called the meeting to order.

Chairwoman Hargrove recessed the meeting into Executive Session at 10:05 a.m. to discuss matters pursuant to Texas Government Code Section 551.071 (consultation with attorney). She reconvened the meeting at 10:22 a.m. and announced that no action was taken during Executive Session.

1. Approval of the Minutes from the April 17, 2019 Meeting

Rev. C.J. Littlefield moved to approve the minutes of the April 17, 2019 Paid Sick Leave Commission Meeting Minutes. Linda Chavez-Thompson seconded the motion. The motion carried unanimously by those present.

2. Discussion Regarding the Definition of Paid Sick Leave

Ed Guzman stated that Paid Sick Leave (PSL) was defined in different ways in different places. He noted that PSL is paid leave from work based on the size of the company and hours worked which could be utilized for illness, injury, stalking, domestic abuse, sexual assault, or otherwise requiring medical or health care, including preventative care, and mental health care. He stated that the accrual amounts in State Law included a maximum of 40 hours per year as compared with the local Ordinance which called for 48 hours of PSL per year for businesses with 15 or fewer employees and 68 hours of PSL per year for businesses with 15 or more employees.

Chairwoman Hargrove asked how this would affect businesses which provide paid time off of which some could be utilized for sick leave. Mr. Guzman replied that the Ordinance provided for a minimum amount of PSL and that businesses which provided more than the minimum amount of PSL would not be affected. He noted that some businesses may not designate sick leave from a pool of leave which was not addressed in the current Ordinance.

No action was required for Item 2.

3. Presentation and Discussion of Background Material Requested by the Commission

Mr. Guzman stated that he would distribute the original petition for PSL submitted to the City of Austin. He noted that the State Third Court of Appeals determined that what was submitted by the City of Austin on pre-emption was a matter of Law and was ruled pre-empted and unconstitutional. He stated that the City of Austin appealed the ruling to the Texas Supreme Court and the Texas Association of Business and the State of Texas have an opportunity to file briefs and petitions with the Texas Supreme Court by the end of the month. He noted that Senate Bill (SB) 15 was filed in the Texas Legislature which included four different components and said Bill was divided into four “baby bills” which were moved out of the Senate and into the House. He stated that the “baby bill” for leave was still in the House Committee. He noted that the Texas Legislative Session would end on May 27, 2019 with the possibility of a Special Session being held after that. He indicated that State Law and an Ordinance were very different in terms of enforcement.

Chairwoman Hargrove asked of the intent of having larger businesses provide more PSL than smaller businesses. Mr. Guzman stated that the general assumption was that a larger business was more able to absorb the cost of providing PSL.

The Committee discussed the range of options which could be included in an Ordinance.

Chairwoman Hargrove stated that Subcommittees would be created for the following: 1) Definition of PSL; 2) Compliance/Governance; 3) Legal Arguments; 4) Research/Studies; and 5) Execution. Mr. Guzman stated that the membership of any Subcommittee should be less than the number required for a quorum of the Commission. Chairwoman Hargrove polled the members for their Subcommittee interests and noted that she would be a member of all five Subcommittees. She stated that she would develop Subcommittee assignments and communicate

those to members. She noted that the Subcommittees should be prepared to submit recommendations at the next meeting.

Councilmember Pelaez stated that several issues would have to be addressed with the assistance of an Attorney. He noted that the City Ordinance was adopted after the Fiscal Year (FY) 2019 Budget was adopted so no funding would be available this FY in support of the Ordinance. He stated that the effective date of the Ordinance could be extended by the City Council.

Chairwoman Hargrove stated that the plans developed by Metro Health related to the Ordinance would be reviewed at the next meeting. She noted that she would designate a member as Alternate Chair and stated that the next meeting would be held on June 4, 2019 at 10:00 a.m. at 1901 S. Alamo. John Peterek noted that members could appear via videoconference if they were not able to attend.

No action was required for Item 3.

Adjourn

There being no further discussion, the meeting was adjourned at 11:22 a.m.

Danielle L. Hargrove, Chair

Respectfully Submitted,

*Denice F. Trevino
Office of the City Clerk*