

**PAID SICK LEAVE COMMISSION
MEETING MINUTES
TUESDAY, JUNE 12, 2019
9:00 A.M.
600 Soledad St.**

Members Present:	Danielle L. Hargrove, <i>Owner, DLH ADR Solutions, Chair</i> Al Arreola Jr., <i>CEO, South San Antonio Chamber of Commerce</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> Rev. C.J. Littlefield, <i>St. John's Baptist Church</i> Lori Rodriguez, <i>Assistant Professor, Palo Alto College</i> Diane Sanchez, <i>CEO, San Antonio Hispanic Chamber of Commerce</i>
Members Absent:	Kausi Subramaniam, <i>Board Member, Alamo Asian American Chamber</i> Adelita Cantu, <i>Associate Professor, UT Health SA</i> Sasha Begum, <i>Sasha Begum Law</i>
	Edward Guzman, <i>Deputy City Attorney</i> ; Chelsea Mikulencak, <i>Assistant City Attorney</i> ; Jennifer Herriott, <i>Interim Director, Metro Health</i> ; Caitlin Krobot, <i>Special Projects Manager</i> ; Denice F. Trevino, <i>Office of the City Clerk</i>
	Richard Perez, <i>President and CEO, San Antonio Chamber of Commerce</i> ; Allison Cohen, <i>San Antonio Apartment Association</i> ; Hannah Hughes, <i>Advocacy Fellow, Move Texas</i> ; Dylan McGuinness, <i>Reporter, Express News</i> ; Steven Schultz, <i>President, ABC</i> ; Marco Barros, <i>CEO, San Antonio Tourism Council</i> ; Rob Killen, <i>Real Estate Council of San Antonio</i>

Call to Order

Chairwoman Hargrove called the meeting to order.

1. Approval of the Minutes from the June 4, 2019 Meeting

Alex Birnel moved to approve the minutes of the June 4, 2019 Paid Sick Leave Commission Meeting Minutes as amended. Al Arreola seconded the motion. The motion carried unanimously by those present.

2. Discussion and Recommendations of Suggested Actions by Paid Sick Leave Commission Subcommittees:

A. Definitions Subcommittee

Alex Birnel stated that the distinction between Paid Time Off (PTO) and Paid Sick Leave (PSL) was discussed. He noted that this could be made clearer by referencing the 48 and 64 hour requirement and Ed Guzman would draft said reference. A discussion ensued regarding addressing practical considerations such as PSL for temporary employees. Mr. Birnel noted that the microbusiness category did not appear in labor law, employment law, or anywhere else. He spoke of possible inequity for employees of microbusinesses. Ms. Hargrove asked of the definition of micro businesses. Mr. Guzman stated that a microbusiness was a business with five or fewer employees. Mr. Birnel spoke of the probationary period for contract and non-contract employees. Mr. Guzman stated that non-contract employees would not have a probationary period. He noted that the Commission could recommend a probation period for contract and non-contract employees. Mr. Birnel stated that the subcommittee recommended that the Ordinance reference hours instead of days. Joleen Garcia encouraged the Commission to utilize policies already implemented. Ms. Hargrove requested that Ms. Garcia provide information on policies implemented to Caitlin Krobot for distribution to the Commission. She stated that she received some information from Councilmember Sandoval's office which she would distribute to the Commission. Diane Sanchez asked if revising the effective date was an option. Ms. Hargrove replied that keeping the effective date as August 1, 2019 was not unrealistic. She stated that she would provide the City Council with a report on June 20, 2019. Jennifer Herriott noted that the Ordinance would be implemented on August 1, 2019 but penalties would not be assessed for violations for the first eight months and enforcement would begin in April 2020. She stated that between August 1, 2019 and April 2020, education, technical support, etc. would be provided.

Lisa Fullerton asked if concerns expressed by stakeholders should be documented. Ms. Hargrove replied that members receiving comments/concerns should forward them to the City or Metro Health. Mr. Guzman recommended that members ask for comments/concerns in writing. Ms. Herriott stated that comments could be sent to: paysickleave@sanantonio.gov and a website for same would go live by today or tomorrow. She noted that FAQs would be updated and an employer/employee checklist, sample paid sick leave policy, and a complaint form, etc. would be developed. Mr. Arreola expressed concern regarding the August 1, 2019 deadline. Ms. Hargrove stated that revisions could be made after the deadline. Ms. Fullerton expressed concern regarding the cost to taxpayers. Mr. Guzman noted that the agenda for the City Council Meeting next week had been posted so there was no opportunity at this time to revise the effective date. He stated that the time between August 1, 2019 and at some time during the eight-month probationary period could be considered an education period. Mr. Guzman stated that there would be limited enforcement during the probationary period with the exception of response to retaliatory claims. Ms. Hargrove emphasized that enforcement would be complaint based.

B. Compliance/Governance Subcommittee

Linda Chavez-Thompson stated that the Subcommittee would consider the work already accomplished by Metro Health regarding the regulations and requested said information. She noted that members of the Subcommittee suggested that they meet with the Chambers of Commerce. Ms. Hargrove asked if the Subcommittee would meet with the Chambers of Commerce before the first date of the listening tour. Ms. Sanchez replied that this was recommended by the Legal Considerations Subcommittee. Ms. Chavez-Thompson suggested that a portion of one of the Commission Meetings be dedicated to questions raised by stakeholders. Ms. Hargrove stated that this should be addressed by the Subcommittee. Mr. Guzman suggested that Subcommittee Chairs submit a report to Ms. Krobot following each of their meetings for distribution to all Subcommittees. Joleen Garcia spoke of the prevention of abuse of the policy by employees and requested that this issue be addressed publicly. Christine Arredondo and Al Arreola spoke of the negative effects to small businesses.

C. Legal Considerations Subcommittee

Ms. Fullerton reported that the Subcommittee focused on aspects of the PSL Ordinance in Austin which were unconstitutional. She discussed the definitions of micro, small, and large businesses and the justification for the amount of hours mandated by the PSL Ordinance according to the size of the business. Mr. Guzman discussed the minimum cap and accrual and rollover of PSL.

D. Research and Best Practices Subcommittee

Mr. Arredondo spoke of requiring employment of one year to be eligible to receive PSL. Mr. Birnel spoke of the research on the circulatory effect and the sociology of PSL.

E. Execution Subcommittee

Ms. Garcia stated that the Subcommittee requested that Commission Members submit any questions and said questions would be forwarded to Ms. Herriott who was actively working to answer them. She noted the importance of messaging between all Commission Members. She stated that messaging training was suggested and spoke of the importance of having businesses serve as spokespersons. She stated that Ms. Herriott provided the dates and locations of the listening tour and noted that the first meeting of the listening tour would be held on June 24, 2019 at the Urban Ecology Center at Phil Hardberger Park. She noted that the Implementation and Execution Subcommittees would focus on making said event successful and members could suggest other locations for the listening tour. She stated that information on the listening tour would be included on the website which would go live this week. She noted that the website address would be distributed to Commission Members by Ms. Krobot. She distributed the City's Implementation Plan to members and noted that the timeline was included in the plan. Ms. Sanchez asked of the process for communicating the announcement of the listening tour with the public. Ms. Garcia stated that Metro Health would partner with the Department of Government

and Public Affairs to advertise the listening tour. Rev. C.J. Littlefield suggested that churches be included in the advertising campaign. Ms. Hargrove requested that the media plan be presented at the next meeting. Ms. Chavez-Thompson suggested contacting VIA for advertisement on buses. Ms. Sanchez suggested that the Commission review the media plan and the structure for the listening tour.

3. Discussion on Future Meetings

A discussion on future meetings was not held.

Adjourn

There being no further discussion, the meeting was adjourned at 11:07 a.m.

Danielle L. Hargrove, Chair

Respectfully Submitted,

*Denice F. Trevino
Office of the City Clerk*