



November 26, 2014

The Honorable Edwin M. Lee
Mayor, City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 200
San Francisco, CA 94102
(Sent via e-mail)

Re: Formula Retail Workers Bill of Rights
File Nos. 14080 and 141024

Dear Mayor Lee,

The San Francisco Chamber of Commerce, representing over 1,500 local businesses, continues to oppose the Fair Scheduling and Hours and Retention ordinances, commonly referred to as the "Formula Workers Bill of Rights", which the Board of Supervisors has sent to your desk for signature.

Although Supervisor Chiu and his office held a number of informational workshops on this topic earlier in the year, virtually no substantive discussions on the goals, merits or impacts of the draft ordinances ever occurred. After the legislation was introduced, Supervisor Chiu held two meetings with representatives of business and labor and to our knowledge, Supervisor Mar held none. However, these ordinances were drafted in large part behind closed doors, with last minute changes that brought other employers within the scope of the legislation, without meaningful notice or outreach.

While we appreciate the amendments approved by the Board of Supervisors, they touch on only a very few of the numerous substantive issues that our members have with these two ordinances. Since last summer, in memo after memo to each Supervisor, we have made these concerns crystal clear:

- Limit the scope of the ordinance to traditional sales tax generating "retail", including food and beverage services,
- Do not interfere in hour and staffing decisions by employers,
- Modify the "Advanced Notice of Work Schedules" to more reasonable notice and penalty thresholds,
- Conform the administrative and penalty provisions to those previously agreed to by employers in other recent legislation,
- Recognize the right of employers to hire for specific "on-call" positions,
- Restore language allowing for waiver by collective bargaining agreement, and

- Eliminate the inclusion of security and janitorial services contractors from the provisions of these ordinances.

Had employers been given the opportunity to have any real dialogue with the authors and advocates many of these issues could have been worked-out. And while we believe these ordinances deserve to be vetoed, sustaining such an action does not seem likely.

However, because the ordinance's operational dates are not until next summer, there will be time to initiate a more transparent process could remove the most onerous provisions and provides a more balanced approach to this "one size does not fit all" legislation. We ask you to return these ordinances to the Board of Supervisors unsigned, urging a more collaborative process to draft amendments as outlined above.

Sincerely,

A handwritten signature in cursive script that reads "Bob Linscheid".

Bob Linscheid
President and CEO

cc. Each Member, Board of Supervisors