



SAN
FRANCISCO
**CHAMBER OF
COMMERCE**

March 29, 2016

The Honorable London Breed, President
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

RE: File No. 160065 Paid Parental Leave

Dear Supervisor Breed:

The San Francisco Chamber of Commerce and other local organizations have met a number of times with Supervisor Wiener and his staff to discuss the proposed “Paid Parental Leave for Bonding with New Child” ordinance, which will be on the Board of Supervisors’ calendar on April 5. We appreciate both the opportunity we were given to better understand how this ordinance would impact employers and to suggest amendments to moderate impacts, especially on small businesses.

The substitute ordinance Supervisor Wiener introduced and which was heard last week at the Budget and Finance Committee, contained a number of amendments that will assist employers in complying with this new mandate. Importantly, the Budget and Finance Committee adopted additional amendments that will help local businesses, including a six month delay in the operative date for small businesses, vesting enforcement in the Office of Labor Standards Enforcement (OLSE) and the City Attorney’s Office and a Controller review of benefits should federal or state laws be amended to improve parental leave wage payments. These amendments assist employers in meeting the goals of the ordinance and recognize the strong enforcement tools available to employees through OLSE and the City Attorney.

Regarding enforcement, the Budget and Finance Committee’s action to delete the private right of action provision conforms this legislation with recent ordinances mandating employer actions, such as the Formula Retail Workers Bill of Rights, Family Friendly Workplace and Fair Hire ordinances. San Francisco has a model enforcement process that serves both employees and employers promptly and fairly. Exposing employers to third party litigation is wisely excluded from this ordinance.

While the San Francisco Chamber of Commerce supports expanded parental leave benefits, there is strong belief among many business owners that once again, to the financial detriment of small businesses, a mandate is being adopted in San Francisco that would be better dealt with at the State or Federal level. And, because a number of additional amendments suggested by employers were not included by either Supervisor Wiener or the Committee, we are neutral on this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Lazarus", with a long horizontal flourish extending to the right.

Jim Lazarus
Senior Vice President of Public Policy

cc: Clerk of the Board, to be distributed to all Supervisors; Mayor Ed Lee