

1 [Resolution Supporting the Implementation of the Retail Workers Bill of Rights]

2 **Resolution urging the Mayor and Board of Supervisors to dedicate resources to community**
3 **outreach and enforcement for the Retail Workers' Bill of Rights**

4 WHEREAS, in 2014 the Board of Supervisors unanimously passed the Retail Workers' Bill of
5 Rights (RWBOR) also known as Formula Retail Employee Rights Ordinances (FRERO); and

6 WHEREAS, FRERO took effect in July 2015; and

7 WHEREAS, 40,000 San Franciscans work in formula retail; and

8 WHEREAS, FRERO applies to formula retail establishments and curbs unfair scheduling
9 practices by giving workers advance notice of their schedules and compensation for cancelled shifts
10 and hasty schedule changes; and

11 WHEREAS, many young San Franciscans are employed in formula retail; and

12 WHEREAS, many young San Franciscans have responsibilities unique to their age group, such
13 as education, various extracurricular activities, and familial commitments; and

14 WHEREAS, young people are one of the most vulnerable populations in the labor force due to
15 assumptions made regarding their age and experience, making them dangerously easy targets for
16 labor abuse; and

17 WHEREAS, the work and scheduling practices in retail working environments do not allow
18 young people to prioritize their unique needs and future goals; and

19 WHEREAS, many managers and employers are still not aware of their obligations under the
20 ordinance; and

21 WHEREAS, enforcement is entirely complaint-driven despite widespread non-compliance and
22 technical barriers in implementing fair scheduling practices; and

23 WHEREAS, the City has not yet supported any specific industry-level implementation efforts;
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1 WHEREAS, the Center for Popular Democracy launched a compliance support program for fair
2 scheduling laws, which partners with scholars to evaluate fair scheduling practices, supports the
3 creation of auditing programs for enforcement agencies, and provides employers with technical
4 assistance to rectify compliance barriers embedded in scheduling software in particular; and

5 WHEREAS, according to preliminary results from a Formula Retail Employee Outreach Survey
6 conducted by Chinese Progressive Association, 0% of formula retail workers know their rights under
7 the ordinance; and

8 WHEREAS, outreach is extraordinarily difficult due to employer policies regarding interaction
9 with know-your-rights personnel and other issues with managers blocking such actions; and

10 WHEREAS, at the time of writing, the Office of Labor Standards and Enforcement has one
11 compliance officer assigned to FRERO enforcement, and that compliance officer also maintains a
12 minimum wage and paid sick leave caseload; and

13 WHEREAS, at the time of writing, only 10 investigation requests have been received by OLSE,
14 despite FRERO non-compliance being widespread; and

15 WHEREAS, FRERO has been hailed as one of the most holistic, comprehensive, worker-first
16 labor legislative packages passed in the United States; and

17 WHEREAS, the Youth Commission originally supported the retail workers bill of rights
18 legislation at the time of its introduction and passage; and

19 WHEREAS, the Youth Commission has long been invested in the welfare of young workers
20 and sees this as a next step in bettering the status quo and outcomes for young workers; and

21 WHEREAS, the success of FRERO would set a national example for greater worker rights;
22 now therefore be it
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1 RESOLVED, that the Youth Commission urges The Department of Children, Youth, and Their
2 Families to require its 2018-2023 youth workforce development grantees to educate their participants
3 on municipal labor laws, including FRERO; and be it further

4 RESOLVED, that the Youth Commission urges Mayor Lee and the Office of Labor Standards
5 and Enforcement to continue to fund community-driven outreach and education efforts specifically
6 regarding FRERO; and be it further

7 RESOLVED, that the Youth Commission urge Mayor Lee the Office of Labor Standards and
8 Enforcement to allocate funds dedicated to positions solely intended to investigate complaints
9 regarding and enforce FRERO; and be it finally

10 RESOLVED, that the Youth Commission urges the Board of Supervisors to hold a hearing on
11 progress towards the implementation and enforcement of FRERO.
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17 Madeleine Matz, Chair, 2016-17 Youth Commission
18 Adopted on May 8, 2017
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