



ERIC GARCETTI
MAYOR

Public Order Under City of Los Angeles Emergency Authority

Issue Date: April 7, 2020

Subject: Grocery, Drug Retail and Food Delivery Worker Protection

Food service and drug retail industries are among the most critical parts of our economy during our local response to the COVID-19 pandemic. While we work to maintain consistent access to grocery stores, retail food facilities, and pharmacies throughout our City, we must ensure that workers in these essential businesses -- and, in addition, workers on food delivery platforms such as Instacart, Amazon Fresh, Caviar, Uber Eats, GrubHub, Postmates, and DoorDash -- have adequate flexibility as they balance their personal lives and job duties.

On March 27, 2020, the Los Angeles City Council passed an Ordinance (Council File-20-0147-S44) (the "Ordinance"), which adds Article 3-72MM to Chapter XX of the Los Angeles Municipal Code, in an effort to enhance protections for these workers and the public. However, I believe it is also necessary to amend the Council's ordinance to ensure that the delivery of essential goods can continue without hindrance. Many Angelenos rely on these services for the delivery of essential goods, including those identified as vulnerable to COVID-19 by the Centers for Disease Control.

Accordingly, by virtue of authority vested in me as Mayor of the City of Los Angeles pursuant to the provisions of the Los Angeles Administrative Code, Chapter 3, Section 8.29 to promulgate, issue, and enforce rules, regulations, orders, and directives, I hereby declare the following to be necessary for the protection of life and property and order, effective immediately, until the expiration of the local emergency period, that Sections 200.12 and 200.13 of Article 3-72MM of Chapter XX of the Los Angeles Municipal Code be suspended during this local emergency period and replaced and superseded with the following provisions:

1. Section 200.12 of the Ordinance is hereby modified to read as follows:

SEC. 200. 12. RIGHT TO SCHEDULE CHANGES

A. A Grocery Retail Store and Drug Retail Store Employer shall approve an Employee's request to change a work schedule under any of the following circumstances:

1. To provide daycare for the Employee's own child;
2. To care for a sick member of the Employee's immediate family or member of its household; or
3. If the Employee feels ill, exhibits a symptom of COVID-19 as identified by the Center for Disease Control, or suspects having been exposed to COVID-19.

B. A Food Delivery Platform Business shall allow an Employee to decline orders under any of the following circumstances without negative repercussions:

1. To provide daycare for the Employee's own child;
2. To care for a sick member of the Employee's immediate family or member of its household; or
3. If the Employee feels ill, exhibits a symptom of COVID-19 as identified by the Center for Disease Control, or suspects having been exposed to COVID-19.

2. Section 200.13 of the Ordinance is hereby modified to read as follows:

SEC. 200.13. ADDITIONAL WORK HOURS OFFERED TO CURRENT EMPLOYEES BEFORE HIRING NEW WORKERS

Before hiring a new Employee or using a contract, temporary service or staffing agency to perform work, a Grocery Retail Store and Drug Retail Store Employer shall first offer the work to current Employees if:

1. The current Employee is qualified to do the work as reasonably determined by the Employer; and
2. The additional work hours would not result in the payment of a premium rate under California Labor Code Section 510.



Eric Garcetti, MAYOR

Dated: April 7, 2020 at Los Angeles, California

Time: 9:15pm

Filed with the City Clerk

Date: _____

Time: _____

By: _____