February 2, 2021



The Honorable Sam Liccardo Mayor, City of San Jose 200 E. Santa Clara St. San Jose, CA 95113

RE: Premium Pay for Grocery Workers

Dear Mayor Horvath,

On behalf of San Jose grocers, I write with concerns about the motion regarding premium pay to grocery workers. Our industry shares your appreciation for critical infrastructure employees across the grocery spectrum. This is why grocery companies were at the forefront of implementing COVID-19 safety protocols, before being asked to do so, and have been leaders in providing additional compensation to employees.

Unfortunately, the current direction submitted as part of the agenda item is missing important information. Without consultation with the grocery industry to provide additional information, we are concerned the Council will make policy decisions based on flawed reasoning.

The impact of a less than fully informed decision will result in unintended and avoidable negative consequences for the city and grocers that could include increased grocery prices, limit access to grocery stores, and impact to workers. This issue is best served by an immediate and genuine discussion with the grocery industry.

In addition to the concerns above, the recommendation limits its scope to only a small subset of essential critical infrastructure workers and ignores all other workers interacting regularly with the public in the same manner. As we all sadly know, COVID-19 impacts do not discriminate in any way. If a situation has risen to an emergency level in one work setting it would only be reasonable to assume the same concern exists in other similar settings with other critical infrastructure employees.

COVID-19 and its impacts are nothing short of a tragedy and have required a number of emergency responses. For the last ten months, the grocery industry, often in partnership with state and local governments, has implemented unprecedented efforts to ensure the safety of our employees and consumers. These efforts include implementing social distancing protocols, expansive leave for workers impacted by COVID-19, record levels of additional compensation, hiring of new workers numbering in the tens of thousands, and remaining open with a still impacted and limited supply chain.

PAGE 2 February 2, 2021



CGA and the grocery industry have partnered with local jurisdictions successfully on several emergency issues during the pandemic. Unfortunately, on this specific issue the city has chosen not to engage the grocery industry or provide any reasoning or justification to raise this issue to the point of requiring the extraordinary powers granted by the City's declaration of emergency. Again, the best course of action is an immediate and genuine consultation with the grocery industry. Failing this we believe there are significant policy and legal concerns and ask the city not to move forward with the recommendation as proposed.

Thank you for your consideration and we look forward to a continued partnership with West Hollywood to combat COVID-19.

Sincerely,

ers Association
Members, San Jose City Council City Clerk, City of San Jose

Fw: Agenda Item Number 3.4 21-256 Hazard Pay for Retail Food Workers

City Clerk < Tue 2/2/2021 10:53 AM To: Agendadesk < Forwarding

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

How is our service? Please take our short survey.

From: Valenzuela, Saul < Sent: Tuesday, February 2, 2021 10:04 AM To: City Clerk <

Subject: Agenda Item Number 3.4 21-256 Hazard Pay for Retail Food Workers

Dear City Council,

As a member of the San Jose Fire Department, I would like to thank those who are making it possible for retail grocery store employees to receive a five dollar hourly pay rate increase. I would also like to for those same individuals to consider a similar benefit to our 911 dispatchers. While they may not encounter the public, they are still presented with challenges due to the pandemic.

There have been numerous cases within the communications center and while many other employees have the choice to work from home , they do not.

As a small team of 28 people at San Jose Fire Communications, we have worked 8,206 hours of mandatory overtime since March in our fire and medical control center. That's an average of 300 hours per person of extra time worked handling 9-1-1 calls in this pandemic with no extra recognition or hazard pay.

The workload has increased, and some additional benefit would be appreciated by both Fire and Police dispatchers for thier continued dedication to serving the citizens of our city through the pandemic. Thank you

Saul Valenzuela

Senior Public Safety Dispatcher

Fw: Agenda Item Number 3.4 21-256 Hazard Pay for Retail Food Workers

City Clerk < Tue 2/2/2021 10:55 AM To: Agendadesk < Forwarding....

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200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

How is our service? Please take our short survey.

From: Garcia, Tania < Sent: Tuesday, February 2, 2021 9:58 AM

To: City Clerk <

Subject: Agenda Item Number 3.4 21-256 Hazard Pay for Retail Food Workers

Hello,

I would to request that the city consider their own essential workers. I have worked for Fire Communications since 2011. Over those last 10 years, I've gone through many challenges including

- Severely understaffed handling the 911 calls from a city of over 1 million
- Handling issues of death, medical emergencies, violence, abuse, trauma on a DAILY basis
- Being mandatorily assigned to work up to 14 hours a day with a 9 hour turnaround between shifts, as well as on my "weekend"
- Staffed 24 hours a day 365 days a year -- working Saturdays, Sundays, Christmas, 4th of July etc.

With COVID-19, Fire communications still faced the above challenges along with the challenge of a global pandemic. We got to see almost every other city employee with the exception of those who work for police, fire, DOT, Muni Water get to stay home. Some were paid fully with no expectations to work if their job was non essential yet unable to be done from home. We've heard of work at home employees receive a special stipend due to the hardship of working from home -- having to heat/cool their home, use their electricity and get office supplies. Yet they have the benefit of being home safe with their families. To care for their children and not have to juggle childcare demands.

Meanwhile we were required to report to work, not only for 40 hours a week, but for the aforementioned 14 hours, on our days off, on weekends, on holidays. We have safety protocols in place, but this virus is relentless. I believe we have had over a dozen cases on our 4th floor in the Police and Fire Communications building. It is hard to keep track since much of it is word of mouth since there is no formal communication about the cases depending on whether the person volunteers to have that information shared. All of us are scared that maybe today will be the day we get the virus and pass it on to our loved ones. Yet we continue to report to work. To answer the 911 calls of the citizens of San Jose and get them help. Yet many of us at our breaking point. Where we are questioning "is it worth it?"

And without communications, **911 does not work.** We are the FIRST first responders -- the very beginning of the emergency system.

We asked for hazard pay at the beginning of the pandemic and were swiftly denied. I respectfully ask that the city of San Jose respectfully consider their essential employees that are not currently paid hazard pay.

Thank you, Tania Garcia San Jose Fire Communications

Fw: CSJ Hazard Pay for Grocery Workers

City Clerk < Tue 2/2/2021 10:55 AM To: Agendadesk < Forwarding

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How is our service? Please take our short survey.

From: Molano, Melissa < Sent: Tuesday, February 2, 2021 9:56 AM To: City Clerk < Subject: CSJ Hazard Pay for Grocery Workers

Hello,

I am writing regarding the City of San Jose crafting a City Ordinance for hazard pay for grocery workers. Even though I believe grocery workers should receive hazard pay, I also believe public safety workers should receive hazard pay as well. As a public safety dispatcher, we never had the option to work from home or get paid leave. We come to work risking our health as well as our family's health that we go home to everyday. Hazard pay for all essential workers should be given especially to those that do not have the ability to work from home. I understand that grocery workers are exposed to the public everyday but that doesn't make it riskier than our jobs. COVID has affected all workplaces regardless of working in a public workspace. Dispatchers have continued to work throughout the pandemic, and I believe that hazard pay should be given especially since we never had the option to work from home or adjust accordingly for the pandemic. Thank you.

Best, Melissa Molano

Fw: City Council Meeting 2/2/21 - Item # 3.4 Hazard Pay for Retail Food Workers - Public Comment

City Clerk < Tue 2/2/2021 10:59 AM To: Agendadesk < Forwarding the below email.

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200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

How is our service? Please take our short survey.

From: Charlotte Quinn <charlott Sent: Tuesday, February 2, 2021 9:55 AM To: City Clerk < Subject: City Council Meeting 2/2/21 - Item # 3.4 Hazard Pay for Retail Food Workers - Public Comment

[External Email]

Dear City Council Members,

Please approve hazard pay for food and retail workers. They more than deserve the hazard pay. Cost of living has not come down for these workers. They risk their lives every shift to serve San Jose's citizens. They need the hazard pay ASAP.

Please be a City we can be proud to call home by requiring hazard pay to these important community members.

Thank you, Charlotte

Charlotte Quinn



Fw: City council Meeting

City Clerk < Tue 2/2/2021 10:59 AM To: Agendadesk < Forwarding the below email.

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200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

How is our service? Please take our short survey.

From: Amber Ospina < Sent: Tuesday, February 2, 2021 9:53 AM To: City Clerk < Subject: City council Meeting

[External Email]

Members of the City Council,

I understand and agree with the plan to have essential workers obtain hazard pay. They put themselves at risk to simply do their job of keeping food on the shelves. And their employer should compensate them for that. So now, what about your employees? How do you dictate that a business do something that you are not willing to do yourselves? You have several groups of city employees that essentially did the same. They put themselves at risk to keep city services open. But let's face it, if things were worse could the grocery stores close? Yes. But could your city services? No. During this pandemic there were many of your own employees who put themselves and their families at risk. Emergency Police and Fire dispatchers remained to answer 911 calls, and dispatch police and fire services, even when there were more than 15 employees who contracted COVID-19 while at work and many more that were exposed. Many continued to work 14hour days to cover for those that were out sick, further putting themselves at risk. Civilian employees who worked tirelessly throughout the police department to provide services to citizens as well as officers, and those who remained to keep water and sewer systems up and running. Our Community Service officers who continued to go out into the public to take reports and assisted police officers in their duties. None of these services even had the option of closing down, or working from home, no matter how bad it got. None of these employees received hazard pay, full salary or a stipend for staying home. I believe all essential workers deserve some type of hazard pay, or at least recognition for taking the risk during a pandemic. However, I find it hypocritical for you to want private businesses to provide something for their employees, that you refused to provide for your own. Reguards,

Amber Ospina

Sent from my iPhone

Fw: Agenda Item Number 3.4 21-256 Hazard Pay for Retail Food Workers

City Clerk < Tue 2/2/2021 10:59 AM To: Agendadesk < Forwarding the below email.

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200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

How is our service? Please take our short survey.

From: Slaton, Jamey < Sent: Tuesday, February 2, 2021 9:52 AM To: City Clerk <

Subject: Agenda Item Number 3.4 21-256 Hazard Pay for Retail Food Workers

Thank you for this opportunity to address this issue. I work in Fire Communications which handles incoming 911 medical and fire calls as well as dispatches the fire crews to the scene. I am certainly aa proponent for retail food workers getting hazard pay. With that said I don't believe it should be limited to the food workers. We are also working under hazardous conditions in a shared building with shared equipment while understaffed and overworked. While other city employees had the luxury of working from home and get a bonus for that we continued to show up to work each day where we continue to be at risk of catching covid from Co-workers or others in our shared building.

Please recognize the difficulties and strain your 911 dispatchers have been under.

Respectfully,

Jamey Slaton

Fw: Agenda Item 3.4 21-256

City Clerk < Tue 2/2/2021 11:00 AM To: Agendadesk < Forwarding the below email.

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200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

How is our service? Please take our short survey.

From: Lauren Smoldt < Sent: Tuesday, February 2, 2021 9:52 AM To: City Clerk < Subject: Agenda Item 3.4 21-256

[External Email]

Members of the City Council,

I support the idea of hazard pay for retail food workers. They deserve it, but can hazard pay be given to ALL essential workers, especially your own City employees? Many city employees have been working outside the home because their city jobs require it. They do not have the option to work from home.

Fw: Extending Hazard Pay to All Essential Workers

City Clerk < Tue 2/2/2021 11:00 AM To: Agendadesk < Forwarding the email, below.

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

How is our service? Please take our short survey.

From: Steinbach, Marie <
Sent: Tuesday, February 2, 2021 9:50 AM
To: City Clerk <
Subject: Extending Hazard Pay to All Essential Workers

Dear City Council,

I am happy to hear that retail workers are being recognized for the work that they have continued to do in the presence of the Covid-19 pandemic. Along with these retail workers, other workers have helped this city continue to run. In the past 10.5 months, the emergency workers (Fire, Police, 9-1-1 dispatchers/call takers, Dept. of Transportation, etc.) have continued to do the jobs that they have been trained to do, regardless of the environment that Covid-19 has created. I'm a 9-1-1 dispatcher that has been working most days since the start of the pandemic. Due to our critical staffing shortage, most of us have been working more overtime than we'd care to admit, but the show must go on (so to speak) in order to continue to provide the citizens of San Jose the services that they have been promised by the City of San Jose.

Since March of 2020, I have personally worked more than 439 hours of mandated overtime. Much of that overtime has been to cover for co-workers that have been exposed to someone with Covid-19. In order to prevent an outbreak of Covid-19 in the Fire Communications center, we have been reduced to taking our breaks within our Control Room and we avoid all common areas within this building. We have done this to minimize our exposure to others. There have been a few within our ranks that have had to stay at home for the city mandated time period when their spouses have tested positive for Covid-19 (but the city employee has not). They have lost the mandated overtime that they were required to work (to cover vacancies) because they were "required" to quarantine at home. This is not acceptable and not a show of appreciation to the people that have gone above and beyond to serve the citizens of San Jose.

We are asking that the hazard pay (\$5 an hour) be a consideration for those that have continued to actually show up to work each day, without the convenience of working from home. There is no time like the present to thank those that continue to push through the difficult times caused by the pandemic, to show them that their unwavering efforts are recognized.

Respectfully, Marie Steinbach Senior PSD - San Jose Fire Communications Fw: "Agenda Item Number 3.4 21-256 Hazard Pay for Retail Food Workers"

City Clerk < Tue 2/2/2021 11:01 AM To: Agendadesk < Forwarding the email, below.

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200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

How is our service? Please take our short survey.

From: Corral, Ithena <

Sent: Tuesday, February 2, 2021 9:48 AM

To: City Clerk <

Subject: "Agenda Item Number 3.4 21-256 Hazard Pay for Retail Food Workers"

Hello

I am writing this letter regarding the Hazard Pay Requested for Grocery Store Workers. I am 911 Dispatcher with the city of San Jose and have been working since the beginning of the pandemic. We do not have the option to work from home. We have been coming into work as normal and in fact more then normal because of our staffing levels and those out because of Covid. I, myself am pregnant and have been coming to work and risking my safety and my baby's safety in order to provide emergency services to the public. We are in contact with police officers and fire fighters on a daily basis who are in contact with the public daily. Although, I do not disagree that grocery workers should receive this hazard pay I am disappointed in the city that 911 essential dispatcher were denied the Hazard Pay when requested in the Spring. This has made 911 Dispatchers feel underappreciated and valued as much as others. I would hope that in granting the grocery retail workers the Hazzard Pay a second look would be taken at the essential workers at 911 Dispatch.

Thank you for your time Ithena Corral SJFD Communications PSRD Fw: Agenda Item 3.4 21-256 Hazard Pay for Retail Food Workers

City Clerk < Tue 2/2/2021 11:02 AM To: Agendadesk < Forwarding...

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200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

How is our service? Please take our short survey.

From: Harlin, Cindy < Sent: Tuesday, February 2, 2021 8:46 AM To: City Clerk < Subject: Agenda Item 3.4 21-256 Hazard Pay for Retail Food Workers

Members of the City Council,

I applaud the idea of hazard pay for retail food workers for the continued services provided during the pandemic. But why not explore opportunities to widen the eligibility by including ALL essential workers, especially your own City employees. What about the 911 dispatcher who still answered the phone for a police emergency, or the Fire dispatcher who answered a medical emergency call, or the employees at PD who helped you get that police report you needed, or the vehicle released, or the Community Safety Officer who came to you when your car or home was burglarized, or for those employees who kept "warming centers" open for people at risk, or Public Works employees who made sure your water and sewer was working properly. These are just a few of the many city employees who haven't stopped working since the pandemic began and can't safely or effectively do their jobs from home. Hazard pay should not be limited to retail food workers, but a fair and equitable system for ALL essential employees, especially your own City employees, who did not have the benefit of working from home and receiving a stipend to work from home, but rather providing critical services to the City of San Jose every day during the pandemic, so that the City did not skip a beat.

Additionally, ALL essential City workers should be provided special sick leave that won't count against their normal sick leave if they are infected/exposed to Covid while on the job.

Kindly, Cindy Harlin (MEF Chief Steward) Fw: Agenda Item 3.4 21-256 Hazard Pay for Retail Food Workers

City Clerk < Tue 2/2/2021 11:02 AM To: Agendadesk < Forwarding...

Office of the City Clerk | City of San José

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Additionally, ALL essential City workers should be provided special sick leave that won't count against their normal sick leave if they are infected/exposed to Covid while on the job.

Kindly, Cindy Harlin (MEF Chief Steward) Fw: Agenda Item Number 3.4 21-256 Hazard Pay for Retail Food Workers

City Clerk < Tue 2/2/2021 11:03 AM To: Agendadesk < Forwarding ...

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200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

How is our service? Please take our short survey.

From: Jennifer Burnham < Sent: Tuesday, February 2, 2021 8:04 AM To: City Clerk <

Subject: Agenda Item Number 3.4 21-256 Hazard Pay for Retail Food Workers

[External Email]

Hello,

In general, I am in favor of Hazard Pay for retail food workers. Those who continued to work through the pandemic in order for the essential needs of others to be met should be compensated for their service.

That said, the City of San Jose provided several contingencies for its own employees. The City allowed for EPSL and paid admin leave, the City provided a stipend for those who were able to work from home, and the City even paid employees who could not perform their work at work or from home. Some employees qualified for the stimulus checks and unemployment benefits.

Some essential workers cannot perform their work from home and continued to work straight through the pandemic. The City's Fire and Police Dispatchers have worked and continue to work under enormous pressure. Increased call volume, low staffing, strict safety protocols, policy and procedure put in place because of COVID, co-workers coming to work not feeling 100% and later test positive for COVID, childcare issues, and challenges with distant learning...just to name a few. Most did not use EPSL or paid admin leave. None received stipends, stimulus checks, or unemployment benefits. We are fortunate to have our jobs and we perform an essential duty that residents and visitors of San Jose expect. To not provide a stipend or hazard pay to a relatively small group of highly skilled employees is a proverbial slap in the face. Others cannot perform our jobs. If we are sick, the 911 dispatch center must be staffed with personnel on an overtime basis. In 2020, Fire dispatchers worked a over 8000 overtime hours to keep the 911 fire dispatch center minimally staffed. We should have at least 37 personnel assigned to answering 911 lines and dispatching fire resources. In 2020, we had 26. That doesn't account for those who were on approved FMLA, out sick, or on scheduled vacation.

If the ordinance passes and businesses within San Jose are mandated to provide hazard pay for thier essential workers, the City of San Jose should also provide its Public Safety Dispatchers with hazard pay.

Respectfully, Jennifer Burnham

Fw: City Council Meeting - Agenda Item Number 3.4 21-256 Hazard Pay for Retail Food Workers

City Clerk < Tue 2/2/2021 11:03 AM To: Agendadesk < Forwarding...

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How is our service? Please take our short survey.

From: Darmousseh, Scarlet < Sent: Tuesday, February 2, 2021 8:00 AM To: City Clerk <

Subject: City Council Meeting - Agenda Item Number 3.4 21-256 Hazard Pay for Retail Food Workers

Dear City Council,

I appreciate the idea of hazard pay for retail food workers for the service they have been providing to our community. However, 9-1-1 dispatchers and all other essential/emergency workers should have been receiving hazard pay since the beginning of this pandemic. We have been denied hazard pay on multiple occasions even though we are an integral part of the city's well-being. Exactly opposite of the public, we are working even more during this pandemic than we do under normal operations due to COVID cases, sick callouts, and unexpected overtime. We do not have the option to work from home, and the 9-1-1 system operates 24/7 with call takers and radio dispatchers to serve our community of over a million people, often during the worst day of their life.

I have worked 421 hours of mandatory overtime since March which averages out to 49 total hours each and every week of handling emergencies for the city of San Jose. As a small team of 28 people at San Jose Fire Communications, we have worked 8,206 hours of mandatory overtime since March in our fire and medical control center. That's an average of 300 hours per person of extra time worked handling 9-1-1 calls in this pandemic with no extra recognition or hazard pay. We have had more than the national average percentage of COVID positive cases in our building and are putting our lives at risk every single time we come into work. Although we do not interact with the public, we are classified as first responders and do not have a choice of whether we come into work or not. We are responsible for triaging life-threatening emergencies and dispatching the fire department to these emergencies.

Back in November, city employees working from home received a \$200 stipend per person to cover costs for items such as paper and pens. There has been no stipend for essential workers in this entire pandemic. We haven't had the luxury of working from home, saving time and gas money and being with our families, as other city workers have. I would like to know what I can do to help us first responders

get the recognition and pay we deserve as it seems we are always forgotten and left behind. Thank you for your time.

Sincerely, Scarlet Darmousseh Public Safety Radio Dispatcher San Jose Fire Department Fw: 2/2 Agenda Item 3.4 Hazard Pay for Retail Food Workers

City Clerk < Tue 2/2/2021 11:04 AM To: Agendadesk < Forwarding ...

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

How is our service? Please take our short survey.

From: Melanie Helmke < Sent: Tuesday, February 2, 2021 7:00 AM To: City Clerk < Subject: 2/2 Agenda Item 3.4 Hazard Pay for Retail Food Workers

[External Email]

I understand there is a council meeting scheduled for today, while I am at work, where I have been almost every day since this pandemic started.

I understand the city is discussing hazard pay for grocery store workers. (While definitely deserving by all means, are grocery workers paid from the city?)

I would like to bring to light that the city of San Jose has MANY city workers who have worked under the same conditions as grocery store employees but are being pushed aside.

Let's take a look at SJPD. You have civilians who work seven days a week, with the public, with no acknowledgement. A number of nearby agencies closed their lobbies to the public in an effort to protect their employees while SJPD extended its lobby hours to accommodate not only our normal day to day visitors but now adding those who can no longer go to their local agency. We have not been thought of for hazard pay. We could not even be considered part of the police department to be vaccinated as essential workers yet we have been here, helping the officers, the city, the public, while facing exposure - Every. Day. We face exposure to Covid for ourselves and the threat of taking Covid home to families. Every. Day.

I'd like to hear what the city has planned for these civilian city workers. Why are we not considered important enough for hazard pay? Why are we not considered important enough for vaccines? Why are we not considered important enough for city protections? Does anyone have answers?

Thank you, Melanie Helmke

Fw: \$5.00/hr Safeway hazardous pay

City Clerk <city.clerk@sanjoseca.gov> Tue 2/2/2021 3:27 PM To: Agendadesk <Agendadesk@sanjoseca.gov> Forwarding ...

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How is our service? Please take our short survey.

From: DBA CARACCI ENTERP CARACCI Sent: Tuesday, February 2, 2021 12:47 PM To: City Clerk <city.clerk@sanjoseca.gov> Subject: \$5.00/hr Safeway hazardous pay

[External Email]

I am 81 years old, once retired and chose to go back to work for the opportunity to meet/greet different people on a daily basis. With this in mind, I chose Safeway. I have met wonderful working people and customers. But, I have met some rude and hurtful (seemingly self-entitled) people. It is because of this group of people, I feel that the \$5.00/hr hazardous pay should be implemented.

I took two months off at the start of this, to be sure I did not take this home to my husband. Since I have gone back to work, I have learned (from some customers) that they had contacted the virus over the Christmas holidays, but were OK now. My question, "Did they come through the store while contagious?" Who knows, but that is one of the things we're fighting. When you are cleaning spills or trying to direct lines to follow 6' rules. you get Flack, and sometimes I think people feel since you're wearing an apron, you're sub-servant. so YES, I BELIEVE HAZARDOUS PAY SHOULD BE IN PLAY.