Mayor Libby Schaaf
1 Frank Ogawa Plaza
Oakland City Hall
Oakland, CA 94612

Dear Mayor Schaaf,

The passengers and crew from the Grand Princess cruise ship need both medical attention and testing. Their arrival at the Port of Oakland and your outspoken role in ensuring they receive the attention they need and deserve reminds us of the tens of thousands of low wage workers in Oakland who may be exposed to COVID-19 already.

Oakland voters know that all of us need to be able to stay home when we are sick or when our family members need care – without fear of losing our jobs or missing a paycheck. That’s why Oakland voters passed Measure FF in 2014 by 82%: so that all workers in Oakland have access to paid sick days.

We urge the City to immediately send a mass communication to all employers doing business in the City of Oakland and all employees working in Oakland explaining Oakland’s Paid Sick Day Law, which includes:

* Measure FF requires employers to provide Paid Sick Days to their workers so they can stay home when they are sick or need to go to the doctor or to care for others who may be sick or need care.
* All Oakland workers are covered under this law. All workers performing at least 2 hours of work per week within the geographic boundaries of Oakland are eligible to accrue and use paid sick time.
* Workers can use Paid Sick Days to take care of family members who are sick, including designating *any individual* for whom the worker can use sick leave to support.
* Workers accrue 1 hour of sick time for every 30 hours worked. Workers at small businesses with 10 employees or less can accumulate up to 40 hours of sick leave at a time. Workers at all other businesses can accumulate up to 72 hours of sick leave at a time.
* Workers may not be required to find or confirm a replacement if they need to use sick leave to care for themselves or others and employers may only take reasonable measures to confirm a worker’s eligibility for sick leave. Any requirement to document or verify sick leave that costs a worker more than $5 is not a reasonable request.
* Oakland's Paid Sick Leave ordinance incorporates changes made to California law after the passage of AB 5. Therefore, app-based or "gig" workers would also qualify for coverage under the ordinance to both accrue and use sick leave.
* California law presumes that all workers are employees and puts the burden of proof on employers to demonstrate that people working for them are independent contractors by satisfying a three-part test (the ABC test). Therefore, all workers are by default eligible for paid sick leave unless their employer proves otherwise.

The City of Oakland should disseminate [information from the CA Labor Commissioner Julie Su](https://www.edd.ca.gov/about_edd/coronavirus-2019.htm) regarding services and supports available to workers, including workers’ rights to file for CA unemployment insurance if hours are reduced due to reductions in operations or business shutdowns.

Finally, this moment highlights the importance of the City of Oakland having a dedicated Department focused on implementing and enforcing our many forward-looking and inclusive labor standards policies. This is why voters passed Measure Z in 2018 requiring the City to create a Department of Workplace and Employment Standards. We urge the City to move quickly to establish this office and proactively work to protect and support the low wage workers who are the backbone of our economy.

Alameda Labor Council, AFL-CIO

Asian Pacific Environmental Network (APEN)

Causa Justa::Just Cause

Centro Legal de la Raza

Communities United for Restorative Youth Justice

East Bay Alliance for a Sustainable Economy (EBASE)

Ella Baker Center for Human Rights

Gig Workers Rising

IFPTE Local 21

Mujeres Unidas y Activas

Oakland Rising

Parent Voices Oakland

Partnership for Working Families

ROC the Bay

SEIU Local 1021

Street Level Health Project

UNITE HERE Local 2850

CC:

Oakland City Councilmembers

City Administrator Sabrina Landreth
Interim City Administrator Steven Falk

Assistant City Administrator Ed Reiskin