



C H A M B E R
of
C O M M E R C E

Via Email Only

April 20, 2020

The Honorable Nury Martinez
Los Angeles City Council President
200 N Spring Street, Suite 470
Los Angeles, CA 90012

Re: Opposition to Proposed Ordinances Imposing Right of Recall or Right of Retention

Dear Council President Martinez:

The Beverly Hills Chamber of Commerce writes to you to oppose any City Council effort to impose a Right of Recall or Right of Retention on private sector companies.

Among other things, the proposed ordinances would require the following:

- Require businesses that have laid off employees to offer discharged employees all positions which become available for which the employees are qualified.
- Require businesses to offer positions to an employee with the greatest length of service should more than one employee be qualified for a position.
- Require a 10-day waiting period after a business has recalled an employee in which the employee would need to accept or decline the offer.
- Requiring companies under new ownership to retain all employees for 90 days absent just cause.

Imposing a rigid offer and acceptance seniority system would make it impossible to successfully operate a business during this crisis and frankly represents an improper intrusion into the operation of private businesses. This policy will hurt newer workers who are doing a good job. And it will hurt businesses by preventing them from keeping the best performing or most needed employees.

We also oppose any effort to impose this rule retroactively or to extend this rule indefinitely. Making this ordinance retroactive means any business that has already made a layoff decision could be fined and subject to a lawsuit even though they were operating within the law at the time. The unfairness of such an approach is clear.

More broadly, this ordinance is an attempt to impose public sector civil service seniority rules on the private sector. This is completely inappropriate.

We have many Chamber members based in the City of Los Angeles and are very concerned about the impact this ordinance would have on them. Business owners are going through a particularly stressful time, trying to keep their business afloat while caring for clients and employees. We ask that you not add to their burden.

Sincerely,

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

Todd Johnson
President and CEO
Beverly Hills Chamber of Commerce

CC: Members of the Los Angeles City Council