

**Labor Standards Advisory Commission
Meeting Minutes**

Minutes prepared by: Megan Jackson

March 27th, 2018

3:00-5:00pm

Boards and Commissions Room L280 (City Hall)

Attendees

Commissioners Present

Position No.	Name
2	Anthony Burnett
3	Anna Boone
6	Joe Mizrahi
10	Andrew Beane
11	Kellis Borek
13	Rebecca Smith
14	Alia Abboud

Commissioners Absent

Position No.	Name
4	Nicole Grant
5	I-Miun Liu
9	Cariño Barragán
12	Mona Smith
15	Janet Chung

Open Commission Positions

Position No.	Name
1	NA
7	NA
8	Artie Nosrati (pending confirmation)

Guests/Presenters:

Sejal Parikh, Chief of Staff to Councilmember Mosqueda's Office

Karina Bull, Acting Director for Acting Director Martin S. Garfinkel, Office of Labor Standards

Jeneé Jahn, Policy Analyst, Office of Labor Standards

3:00-3:05 **Call to Order**– Andrew Beane and Kellis Borek

- Welcome
- Approval of November Meeting Minutes
 - Motion unanimously passes to approve Meeting Minutes from November 29th, 2017 meeting

3:30-4:10 **Coordination with Councilmember Mosqueda's Office** – Chief of Staff Sejal Parikh for Councilmember Mosqueda

- Work Plan
 - CM Mosqueda's office requests that LSAC develop a work plan.

- What assistance does LSAC require in developing a work plan?
 - Request to see an example. Sejal will provide.
 - Commissioners would like to know
 - the Councilmember's desired outcomes.
 - OLS plan for 2018.
 - What OLS desires from commissioners
 - OLS- Stakeholder feedback from businesses and workers on how OLS, Council, and the Mayor's Office is doing as commissioners have particular access to that information.
 - Ideas on how LSAC can assist with OLS capacity issues
 - Initial work plan thoughts
 - Advising OLS on ordinances
 - Assisting OLS with employer outreach
 - Assisting OLS in streamlining rules so that workers can more easily understand their rights and businesses can more easily comply
 - More planned presentations from OLS
 - Enforcement, Outreach, statistics, a snapshot of where OLS is in 2018
- Update on Commissioner appointments
 - Artie Nosrati has been selected to fill position 8 and the office is moving through the confirmation process
 - CM Mosqueda's office is coordinating with the Mayor's office on Mayor appointed vacancies as the Mayor's office will be filling those in the near future.
 - Commissioners approaching the end of your first terms on April 30th- please communicate with your Co-Chairs regarding if you are interested in filling your position for a second term.

3:30-4:10 **Labor Standards Report-** Karina Bull, Acting Director for Acting Director Martin S. Garfinkel and Jeneé Jahn, Policy Analyst, Office of Labor Standards

- HEHS Rules
 - Hotel Employee Health and Safety Initiative aims to provide protection against violence, injury, and loss of employment in hotel ownership transitions.
 - Currently the primary enforcement mechanism is a private right of action. OLS would like to strengthen enforcement ability.
 - Stakeholder rulemaking meeting process has come to a close after 19 meetings.
 - The meetings were planned with consideration for both worker and employer attendance, including interpretation needs, timing, and content. As a result, there was ongoing worker input at meetings.
 - Some workers received union leave pay during attendance and childcare was offered.
 - Public comment period on proposed rules will begin April 9th and will span 15 days.
 - Rules, Q&A, updates to employer record keeping guide, and notification of worker rights will be publicized on the OLS website on or around May 17, 2018
 - Translated notification of worker rights document (Top Tier languages) will be available as soon as possible following May 17.

- Schedule of trainings, etc. will be advertised at a later date
 - Aspects that required special attention during meetings-
 - Panic buttons- what level of detail is needed regarding panic button features/functionality?
 - The meaning of “to provide health and hospitalization coverage” in the requirements related to the additional compensation to low wage workers for access to health insurance.
 - The meaning of “to clean” as it relates to the square footage limitations for employees who provide housekeeping services. There is a square footage/8 hour limitation on cleaning so it must be carefully interpreted/defined.
- PSST Rule Revisions
 - Goals
 - PSST rules should be easily understandable
 - Harmonization of Seattle rules with state rules, except in those cases where Seattle provisions are more generous.
 - PSST Rule Revision stakeholder meeting held on Friday 3/16
 - Highlights
 - Holiday and Premium Pay rate proposed rule- PSST should be paid at holiday and premium rates when applicable. This differs from state rules.
 - Currently looking at types of premium pay that would fall into this requirement.
 - L&I Variances proposed rule- time variances in increments of PSST use recognized by the state will not be recognized in Seattle Variances from increments of use requirements proposed rule – OLS will not grant variances or recognize variances from L&I for work performed in Seattle
 - Frontloading proposed rule- employers may frontload PSST hours but may not seek reimbursement on hours used before accrual in the event that employee leaves company.
 - Timeline
 - Invitation for public comment on proposed rules in late April
 - Goal for rules to be finalized by 5/31
- Upcoming Legislation
 - City Council will likely hold a meeting to discuss the Secure Scheduling baseline report; OLS will keep LSAC informed
 - Domestic Workers legislation coming up in City Council
 - City Council is codifying inability of employers to pay sub-minimum wage to people with disabilities
 - OLS Omnibus Ordinance- a longer-term goal to harmonize ordinances with state law where applicable, streamline/strengthen ordinances and processes, and further define who has rights under the ordinances.
 - LSAC notes they would be interested in advising.
- Hiring
 - Enforcement Manager position has been posted.

4:10-4:45 **Diversity Hire Application-** Anthony Burnett

- Anthony has not received commissioner edits/additions to the application.

- Will circulate for one more look and will then finalize/make available on the website.

4:45-4:55- Commissioner Presentations on the Organizations and/or Communities They Represent

- Archbright- Kellis Borek
 - Provides advice, counsel, legal, HR, and compliance services as well as all types of employee training
 - A member-based organization serving businesses in WA, OR, and ID
 - About 1200 members with 500 operating within Seattle

4:55-5:00- Agenda Planning- Andrew Beane and Kellis Borek

- Q2 May 22nd Meeting Agenda
 - OLS
 - Enforcement statistics- types of violations reported and/or investigated, amounts of remedies and penalties assessed/collected, industries, backlog update
 - Omnibus ordinance update if applicable
 - Introduction to new OLS Director Marty Garfinkel
 - Directed investigation update
 - Secure Scheduling baseline report
 - Work plan
 - Kellis will get work plan template/example from Sejal

5:00 Adjourn

Next Commission Meetings

Tuesday, May 22nd, 2018 3-5 pm - Boards and Commissions Room L280 (City Hall)

Tuesday, August 22nd, 2018 2:30-4:30 pm- Boards and Commissions Room L280 (City Hall)