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Board of Supervisors President David Chiu and Advocates Propose Family Friendly Workplace Measure for November Ballot

San Francisco, CA— Board President David Chiu today joined a broad coalition of working family advocates to announce the introduction of the Family Friendly Workplace Ordinance, a proposal for the November 2013 ballot that will improve flexibility and job security for working families and help San Franciscans better respond to the needs of their children and family members. Supervisors Eric Mar and Malia Cohen are co-sponsoring the measure.

“We need to do more to help families stay in San Francisco and to accommodate the dramatic changes to the workplace in recent decades,” said Supervisor Chiu. “This proposal will make it less likely that San Franciscans will be in the difficult situation of having to choose between their jobs and the well-being of their children and loved ones.”

Under the proposal, employees would have the ‘right to request’ flexible or predictable work schedules so that they may attend to their parental or caregiver duties. The ordinance would also prohibit discrimination against individuals on the basis of their caregiver status, and would bar employers from discharging, disciplining or otherwise retaliating against employees who exercise their rights under this law.

Employers would have a responsibility to consider the employee’s request and respond in writing should the request be denied. The proposed ordinance lays out how employees would make requests for flexibility or predictability in their work schedules and outlines ‘undue hardship’ reasons that allow businesses to deny a request.

The ‘right to request’ portion of the measure would be the first of its kind in the United States. *Three other countries—the United Kingdom, Australia and New Zealand*—have successfully implemented policies that granted parent and caregiver workers the right to request flexible working arrangements. A similar law has been proposed in the United States Congress but has not advanced.

As today's workforce adapts to changing economic and family realities, balancing the obligations of work and family life is increasingly one of the most significant challenges faced by the modern family unit. Workplace challenges factor into the family flight that is occurring in San Francisco. Children represent just 13.5 percent of the population in San Francisco, the lowest percentage of children for any major city in the country.

"We are consistently talking about policies that will make San Francisco a more family-friendly place," said Supervisor Malia Cohen. "This proposal puts our words into action by establishing thoughtful policies and procedures for workers who need flexibility in their jobs to meet the demands of family obligations without overburdening employers."

"San Francisco has a history of national leadership on many issues, and in particular we have been a leader on workers' rights with prior measures like Healthy San Francisco and Paid Sick Leave," said Supervisor Eric Mar. "This groundbreaking proposal is in that tradition, and I am proud to support it."

The proposal would benefit workers across the economic spectrum, since low-wage and higher-wage workers alike face the challenge of juggling caregiver responsibilities with demanding work schedules.

"Flexible working arrangements should not be the privilege of those that work in high-status jobs," said Hina Shah, Co-Director of the Women's Employment Rights Clinic at Golden Gate University School of Law. "This ordinance will allow all workers who have caregiving responsibilities the protection necessary to request and negotiate flexible working arrangements."

Businesses with fewer than 10 employees would be exempt from the law, and employees would need to work for a business for six months in order to have the 'right to request' flexibility or predictability. The City's Office of Labor Standards Enforcement (OLSE) would be charged with enforcing the law.

Following today's introduction at the Board of Supervisors meeting, the ordinance will go through the legislative process, including hearings and the possibility of amendments in July. The last regular meeting for the Board of Supervisors to vote to submit the ordinance to the November 2013 ballot is July 30, 2013.

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