

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to employment in Seattle; amending Sections 100.025 and Section 5 of Ordinance 126274 to establish a new date for ending hazard pay requirements and automatically repealing the ordinance.

..body

WHEREAS, on February 29, 2020, the Washington Governor issued Proclamation 20-05,

proclaiming a state of emergency for all counties throughout the state of Washington in response to new cases of the new coronavirus 19 (COVID-19); and

WHEREAS, on March 3, 2020, the Mayor proclaimed a civil emergency in response to new cases of COVID-19; and

WHEREAS, on February 3, 2021, the City of Seattle enacted Ordinance 126274 (Hazard Pay for Grocery Employees Ordinance) requiring grocery businesses to provide employees with hazard pay for work performed in Seattle during the COVID-19 emergency; and

WHEREAS, Ordinance 126274 states the intention of the City Council (Council) to consider modifying or eliminating hazard pay requirements after four months of implementation and review of the current health, safety, and economic risks of frontline work during the COVID-19 emergency; and

WHEREAS, on March 17, 2021, grocery employees working in Washington state became eligible for COVID-19 vaccinations; and

WHEREAS, on April 15, 2021, all Washington residents 16 years and older became eligible for COVID-19 vaccinations; and

WHEREAS, on May 12, 2021, all Washington residents 12 to 15 years became eligible for COVID-19 vaccinations; and

1 ~~WHEREAS, on May 13, 2021, the Centers for Disease Control and Prevention (CDC)~~
2 ~~announced that fully vaccinated people no longer needed to wear a mask inside or~~
3 ~~outside, except in certain settings such as health care and correctional facilities and~~
4 ~~except where required by federal, state, local, tribal, or territorial laws, rules, and~~
5 ~~regulations, including local business and workplace guidance; and~~

6 ~~WHEREAS, on May 13, 2021, the Washington Governor announced full adoption of the~~
7 ~~masking guidance issued by the CDC; and~~

8 ~~WHEREAS, on June 29, 2021, Public Health – Seattle & King County announced the end of the~~
9 ~~Local Health Officer’s indoor mask directive for fully vaccinated people; and~~

10 ~~WHEREAS, on June 30, 2021, the Washington Governor announced a statewide reopening with~~
11 ~~a return to full capacity for most public spaces, including grocery and retail stores; and~~

12 ~~WHEREAS, on September 13, 2021, the Washington Governor announced that everyone five~~
13 ~~years of age and older, regardless of vaccination status, must wear masks in indoor public~~
14 ~~spaces, including grocery stores, and at outdoor events with 500 or more people; and~~

15 ~~WHEREAS, on November 2, 2021, all Washington residents five to 11 became eligible for the~~
16 ~~Pfizer COVID-19 vaccine for children; and~~

17 WHEREAS, Public Health – Seattle & King County reported that as of ~~June 29, 2021~~December
18 7, 2021, 72-85.1 percent of King County residents 12 years and older, and 79.4 percent of
19 residents five years and older, had been fully vaccinated against COVID-19; and

20 ~~WHEREAS, COVID-19 vaccines are highly effective at preventing serious illness,~~
21 ~~hospitalization, and death from COVID-19; and~~

22 ~~WHEREAS, Public Health – Seattle & King County has reported that those who are not fully~~
23 ~~vaccinated are 7 times more likely to test positive for COVID-19, 36 times more likely to~~

1 be hospitalized for COVID-19, and 28 times more likely to die of COVID-19 related
2 illnesses; and

3 ~~WHEREAS, Public Health – Seattle & King County reported that as of June 29, 2021, there had~~
4 ~~been more than 60 days of declining COVID-19 cases and hospitalizations per 100,000~~
5 ~~residents; and~~

6 WHEREAS, despite positive trends in vaccinations ~~and key indicators of COVID-19 activity,~~
7 Public Health – Seattle & King County has reported disproportionately ~~lower rates of~~
8 ~~vaccinations among Black and Latinx residents and~~ higher rates of COVID cases among
9 Black, Latinx, and Native Hawaiian/Pacific Islander (NHPI) residents; and

10 ~~WHEREAS, Public Health – Seattle & King County reported that as of June 29, 2021, 53~~
11 ~~percent of Black eligible residents and 55 percent of Latinx eligible residents had been~~
12 ~~fully vaccinated against COVID-19; and~~

13 WHEREAS, Public Health – Seattle & King County reported that as of ~~June 29~~December 7,
14 2021, ~~27-11~~ percent of new COVID cases were among Black residents, 20 percent of new
15 COVID cases were among Latinx residents, and ~~seven-three~~ percent of new COVID
16 cases were among NHPI residents although Black, Latinx, and NHPI residents
17 respectively comprise seven percent, 10 percent, and one percent of King County’s
18 population; and

19 ~~WHEREAS, Public Health – Seattle & King County has stated that continued precautions and~~
20 ~~efforts to increase vaccinations are critical to closing vaccination disparities and has~~
21 ~~expressed commitment to ongoing work with community partners to close the gap in~~
22 ~~vaccine rates; and~~

1 ~~WHEREAS, Public Health—Seattle & King County has partnered with the United Food and~~
2 ~~Commercial Workers International Union Local 21 and Washington Food Industry~~
3 ~~Association to ensure access to vaccinations across modalities; and~~

4 WHEREAS, the Council is committed to developing and collaborating on policies to eliminate
5 racial disparities in public health and to work toward a stronger Seattle; and

6 ~~WHEREAS, on June 30, 2021, the Washington Governor announced a statewide reopening with~~
7 ~~a return to full capacity for the vast majority of public spaces, including grocery and retail~~
8 ~~stores; and~~

9 WHEREAS, the Council recognizes that ~~continuing vaccination efforts and reduced numbers of~~
10 ~~COVID-19 cases and hospitalizations~~ the significant protections of COVID-19 vaccines,
11 high vaccination rates, and continued masking in public spaces demonstrates

12 considerable progress toward supporting the health and safety of our frontline workers
13 and the community; NOW, THEREFORE,

14 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

15 Section 1. Section 100.025 of Ordinance 126274 is amended as follows:

16 **100.025 Hazard pay requirements**

17 * * *

18 C. Employers shall comply with the hazard pay requirements in this Section 100.025
19 ~~((for the duration of the civil emergency proclaimed by the Mayor on March 3, 2020.))~~ until the
20 effective date of the ordinance introduced as Council Bill 120119.

21 Section 2. Section 5 of Ordinance 126274 is amended as follows:

1 This ordinance shall be automatically repealed without subsequent Council action three
2 years after (~~the termination of the civil emergency proclaimed by the Mayor on March 3,~~
3 ~~2020.~~) the effective date of the ordinance introduced as Council Bill 120119.

4

1 Section 3. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the _____ day of _____, 2021,
5 and signed by me in open session in authentication of its passage this _____ day of
6 _____, 2021.

7 _____
8 President _____ of the City Council

9 Approved / returned unsigned / vetoed this _____ day of _____, 2021.

10 _____
11 Jenny A. Durkan, Mayor

12 Filed by me this _____ day of _____, 2021.

13 _____
14 Monica Martinez Simmons, City Clerk

15 (Seal)