

Amendment 1 to Premium Pay for Gig Workers Ordinance (CB 119799)

Sponsor: CM Morales

Prohibit hiring entities from adding customer charges for delivery of groceries and establish a remedy for violating the prohibition.

On page 15, after line 19, amend the following Section as shown below:

100.027 Gig worker and consumer protections

A. No hiring entity shall, as a result of this ordinance going into effect, take any of the following actions:

1. Reduce or otherwise modify the areas of the City that are served by the hiring entity;
2. Reduce a gig worker's compensation; or
3. Limit a gig worker's earning capacity, including but not limited to restricting access to online orders.
4. Add customer charges to online orders for delivery of groceries.

B. It shall be a violation of this Section 100.027 if this ordinance going into effect is a motivating factor in a hiring entity's decision to take any of the actions in subsection 100.027.A unless the hiring entity can prove that its decision to take the action(s) would have happened in the absence of this ordinance going into effect.

On page 26, after line 15, amend the following Section as shown below:

100.200 Remedies

D. A respondent found to be in violation of gig worker and consumer protections under subsection 100.027.A.1 or 100.027.A.4 shall be subject to the penalties and fines established by this Section 100.200; such penalties and fines shall be payable only to the Agency. The Director is not authorized to assess unpaid compensation due under subsection 100.200.B or 100.200.C. for violations of subsection 100.027.A.1 or 100.027.A.4. All remedies are available for violations of subsection 100.027.A.2 or 100.027.A.3.

Renumber sections and correct any internal references accordingly.

Effect: This amendment would (1) prohibit hiring entities from adding customer charges to online orders for delivery of groceries and (2) establish a remedy for violating the prohibition.