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**Protecting Food Delivery Platform Workers & The Requirement of a Food Handler Certification Card to Operate in Los Angeles County**

On March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency in California as a result of the novel coronavirus (COVID-19) global pandemic. In tandem with the statewide emergency, the Los Angeles County issued a “Safer at Home” Order requiring all residents to stay at home or their place of residence, unless performing certain essential activities. On May 29, Governor Newsom approved a variance for Los Angeles County to reopen various parts of its economy, including restaurants which can now operate for dine-in at 60% capacity while following the County’s public health guidelines.

Food delivery network companies, such as Instacart & Uber Eats, are essential businesses operating in Los Angeles County during the pandemic and rely on business models that hire gig workers as independent contractors. These business models create barriers for gig workers to access employee protections established by local, state, and

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federal law, and make gig workers highly vulnerable to economic insecurity and health or safety risks. By using a food delivery network platform or application, gig workers accept offers for prearranged services from entities to perform tasks for consumers, such as delivery of groceries or prepared food and beverages.

Gig workers are essential workers who perform services on the frontlines of this devastating pandemic by making deliveries while working in hazardous situations. Gig workers put their health at risk because the nature of their work can involve working in public situations with limited or no ability to engage in physical distancing. They work in high risk conditions with inconsistent access to protective equipment and continually expose themselves to the spread of the disease. Gig workers have seen an increase in food deliveries since March 2020. They are working in these hazardous conditions now and will continue to face safety risks as the virus presents an ongoing threat.

Currently, there is no safe food handling training required for food delivery drivers to operate in Los Angeles County. A certification of an American National Standard Institute (ANSI) accredited Food Handler card would provide necessary education on safe food handling practices and is available widely online through various approved courses which range in cost from \$9 to \$15 and is available in English, Spanish, Chinese, Korean and Vietnamese. The course approximately takes 1.5-2 hours to complete and is valid for 3 years after completion.

**WE, THEREFORE, MOVE** that the Chief Executive Officer, in consultation and collaboration with County Counsel, the Department of Public Health, the Department of Workforce Development, Aging and Community Services and other relevant Departments, and after considering feedback from labor and business representatives, report back prior to the August 4<sup>th</sup> Board of Supervisors on requiring Food Delivery Network Companies and their drivers to obtain a food handler certification to operate in Los Angeles County. The Draft Ordinance, at a minimum, should investigate the following:

1. Assess the availability of food handler ANSI accredited certification courses, their cost, and the best practices/benefits of the certificate's safe food handling, employee health impacts, and their emphasis on cleaning and sanitizing.

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