

November 15, 2022

**MOTION BY SUPERVISORS HOLLY J. MITCHELL
AND SHEILA KUEHL**

Continuing the County’s Public Health Councils Program to Protect Workers

In Los Angeles County (County), the COVID-19 pandemic has had a disproportionate impact on low-wage workers and communities of color. In November 2020, the Board of Supervisors (Board) established the County’s Public Health Councils (PHC) Program to address these inequities and increase compliance with Health Officer Orders (HOO) by establishing a mechanism for workers at workplaces across the County to report HOO violations, with a focus on low wage workers who are at high-risk for COVID-19.

Through the program, the Department of Public Health (DPH) contracted with Worker Centers to conduct outreach and education to workers in high-risk sectors and to support them in forming their PHC. The County’s PHC Program model supports workers in using peer-to-peer education to increase awareness among coworkers about COVID-19, including public health protections and prevention, vaccination and boosters, and COVID-19 medications. The PHC Program also provides information on how to submit complaints to Environmental Health about possible lack of compliance with County HOOs at a workplace. Through this program over 13,000 workers and 1,500 employers received COVID-19 outreach and education; 59 PHCs were formed; 2,553 workers received vaccination education at worksite mobile clinics; 844 workers were vaccinated; and 56 complaints were submitted to Environmental Health. The PHC Program - the first of its kind in the nation - has been recognized with several national and local awards including awards from the National Association of Counties, the National Association of County and City Health Officials, and the County’s Quality and Productivity Commission.

In addition to being at risk for COVID-19, low wage workers often experience wage theft, human trafficking, and poverty - conditions that put them at great risk for poor health outcomes.

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Through the County's PHC Program implementation, it has become clear that supporting workers in learning about laws and regulations that protect them is an essential equity strategy. This includes increasing awareness among low wage workers about Title 11 of the County Municipal Code which addresses conditions related to vermin, garbage, restroom facilities, lighting, ventilation, and potable drinking water; State and Federal public health regulations protecting workers; and other public health emergencies such as the Monkeypox virus.

Low wage workers often have deep fear of retaliation by their employers; distrust of government agencies and their ability to protect them from retaliation or to improve poor workplace conditions; cultural norms that discourage complaining about employers; and lack of familiarity with the complaint processes. Addressing these barriers requires ongoing relationship building between DPH and Worker Centers and between Worker Centers and workers. Worker Centers are uniquely positioned to provide this education and support, as they have longstanding trusted relationships with workers and the communities where they live.

A key factor in the success of the County's PHC Program and promotion of public health during the pandemic has been the County's anti-retaliation ordinance, *Preventing Retaliation for Reporting Public Health Violations Ordinance*, adopted by the Board in November 2020. The ordinance prohibits retaliation for reporting or discussing non-compliance with HOOs or other violations of Title 11, or for participating in the County's PHC Program.

The anti-retaliation ordinance currently defines PHC as "a group of Workers, not including supervisors or managers: (1) formed while the Board's Declaration of Local Health Emergency, ratified March 4, 2020, related to the COVID-19 pandemic remains in effect; and (2) whose purpose is to educate and inform other workers for the same employer regarding HOOs related to the COVID-19 pandemic." Broadening the definition of PHC would be beneficial to the County to continue supporting the health and safety of low wage workers once current emergency orders associated with the pandemic end, and in preparation for future public health emergencies and natural disasters.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. Direct County Counsel to prepare an ordinance to amend Title 11, Division 1, Chapter 11.01 to revise the definition of the County's Public Health Council Program such that:
 - a) the County's Public Health Council Program may continue after the local emergency order ends and workers will remain protected from retaliation, and
 - b) expand the purpose to be inclusive of educating and informing workers on public health protections and public health related emergencies.
2. Direct the Director of the Department of Public Health to provide a summary report back in writing on the County's Public Health Councils Program and recommendations for the future of the Program in 30 days.

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