

September 1, 2020

MOTION BY SUPERVISORS SHEILA KUEHL AND MARK RIDLEY-THOMAS

Establishing the County Public Health Councils Program

As Los Angeles County (County) prepares to re-open additional sectors of our local economy, it is important to continue to take steps to contain the spread of COVID-19. Workplace and community transmission continue to be significant factors contributing to the spread of COVID-19. While many businesses have been diligent in their efforts to comply with the County Health Officer Orders (HOOs), many have not. This creates a public health risk not only for the businesses’ employees and customers but for the communities in which the businesses are located and in which their customers and employees live.

As more sectors of the local economy have been allowed to re-open, DPH, along with other County departments, has provided guidance and support to businesses in their efforts to comply with HOOs. DPH and other County departments have also put in place measures to promote compliance such as providing an emblem that compliant businesses can display publicly, establishing a help center line and website for businesses,

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establishing small business grant and loan programs as well as assessing fines for non-compliance.

On July 21, 2020, the Board of Supervisors directed DPH, in consultation with County Counsel, the Chief Executive Officer (CEO) and the Director of Consumer and Business Affairs (DCBA), to report back on opportunities for monitoring compliance with HOOs, including the feasibility of establishing a mechanism through which employees at workplaces across the County can report possible HOO violations. DPH submitted their report with findings, along with steps and resources needed to establish such a process, including the use of public health councils which employees could opt-in to forming. Ensuring the existence of these mechanisms is important, especially given recent reports, including press accounts, of workers expressing their deep concerns about non-compliance with HOOs in the workplace and their fear that, if they report violations, not only will the issue not be remedied but they might be subject to retaliation as a result. Unfortunately, as a result, often times violations go unreported, which contributes to an increased risk of the spread of COVID-19.

WE, THEREFORE, MOVE that the Board of Supervisors:

1. Direct the Department of Public Health (DPH) to report back to the Board by September 29, 2020 with an implementation plan to establish a County Public Health Councils Program, including elements outlined in the original motion and DPH's August 7th report. The implementation plan should include:
 - a) A phased-in approach for implementing the program that prioritizes sectors based on available data on reported cases, outbreaks and complaints. Based

on that data, DPH should determine and recommend specific sectors to introduce the program.

- b) Designating staff assigned to liaise with employers and key stakeholders about the Public Health Councils and to share educational information and resources.
- c) Establishing a designated phone number, email and website that workers can use to report HOO compliance issues anonymously. DPH should determine if the existing Environmental Health system for reporting complaints can be updated to include COVID-19 related worker complaints or a separate intake system is warranted.
- d) A process for certification and training of certified workers' organizations.
- e) A plan to enforce adherence to the HOOs through all available authorities and powers.

2. Direct DPH, in collaboration with the Department of Consumer and Business Affairs (DCBA) and the Department of Workforce Aging and Community Services (WDACS), to conduct listening sessions with business community representatives, as well as labor representatives and worker advocates, in order to understand how to address concerns and solicit ongoing feedback on strategies for effective implementation of public health councils.
3. Direct CEO, in coordination with DPH, to identify resources outlined in the DPH Report to implement the Program.

WE, FURTHER MOVE that County Counsel, in consultation with the DPH and DCBA, draft an ordinance that enables the implementation of Public Health Councils, including provisions that address retaliation against workers participating in Public Health Councils.

S:PC/Establishing the County Public Health Councils Program