

GENERAL SERVICES AGENCY  
OFFICE OF LABOR STANDARDS ENFORCEMENT  
PATRICK MULLIGAN, DIRECTOR



**SWEATFREE PROCUREMENT ADVISORY GROUP**  
**Minutes from the June 8, 2023, 2:00 pm**

**Members Present:** Jason Oringer, Conchita Lozano-Batista, Coyote Marin, Joyce Kimotsuki, Julie Fisher

**Members Excused:** John Logan

**City Staff Present:** Hallie Albert, Shawn Peeters, Sailaja Kurella

**CAL Present:** Avery Kelly

**CALL TO ORDER/INTRODUCTIONS**

**1. ADOPTION OF AGENDA**

Meeting agenda was adopted without opposition.

**2. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**

One comment, "The intention of the group is great!"

**3. APPROVAL OF MINUTES**

The minutes from the meeting of May 11, 2023 meeting were reviewed and adopted unanimously with clarification that going forward Coyote Marin need not be referred to using their middle name.

**4. REVIEW PROPOSED CHANGES TO ADMIN CODE**

Sailaja Kurella explained the changes to the proposed language in the ordinance, which reflects what was discussed in the last meeting. OCA had to submit it without having the chance to circle back with the group due to timeline limitations. Marin asked what "non-compliant" means and Kurella said she will confirm with OCA's attorney. Kurella clarified that the proposed change has been submitted so there is no room right now to change the requirements.

**5. OCA UPDATE**

Shawn Peeters reviewed the collection of 12-U-I forms and how he was able to pass along the information WRC requires to proceed with their compliance protocol. Still lacking information from Muscatello's and hopes to have it in a week or so. Marin inquired about the impact of the 12X repeal on vendors and Peeters said it is to be determined. Conchita Lozano-Batista requested that OCA provide an update if there is an impact.

**6. CONTRACT RECOMMENDATION UPDATE**

Avery Kelly reviewed the jurisdictional prerequisite language CAL drafted. CAL to work with WRC (or the monitor in contract with the City) to develop the process and it is based on WRC's current complaint-based model. The factory must enter into an agreement with WRC within four weeks of issuing a corrective action plan or the worker(s) would be able to access courts to pursue a claim. The same would apply if the action plan was not completed satisfactorily after eight weeks or the plan fails to adequately remediate the harm caused to the workers. A worker could also file in court if WRC is not able to investigate because the factory or contractor is being uncooperative.

Lozano-Batista requested CAL to work with WRC prior to the next meeting to get WRC's opinion on how notice of this process will be provided to the workers. She additionally raised the issue of whether the new

language is supportive of the compliance monitor since they will have leverage to resolve the violations with the threat of a lawsuit. Hallie Albert to forward the new language to Ben Hensler so he can comment on the timeline and notice to workers onsite about compliance monitoring and their ability to make a complaint. Kelly to amend the language to note that “satisfactorily implemented” will be determined by the compliance monitor.

#### **7. POTENTIAL ITEMS FOR FUTURE AGENDAS**

Group agreed to skip July due to scheduling conflicts and meet in August.

Albert to schedule with CAL and WRC to attend and find a date that works with the group.