

## Martinez, Ruben

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**From:** Jonathan Jaffrey <Jonathan@jaffrey.us>  
**Sent:** Monday, July 20, 2020 7:03 AM  
**To:** PublicComment-AutoResponse; City\_Council  
**Subject:** Right of Recall Ordinance

**CAUTION:** This email was delivered from the Internet. Do not click links or open attachments unless you know the content is safe.

Tonight Pasadena City Council will decide whether to follow the flawed Ordinances of Santa Monica and Long Beach or focus on our City and our City's residents and needs.

The Hotel Works Rights Ordinances adopted by other City's are flawed. In general they provides for:

The Right of Recall Ordinance requires that these employers rehire workers who have been laid off due to "a lack of business, a reduction in work force, bankruptcy, or other economic, non-disciplinary reason."

As with the Los Angeles Right of Recall Ordinance, affected employers in Long Beach/Santa Monica must make a written offer of employment (by mail, email, and text message) for any position that is or becomes available for which the worker is qualified. To be eligible for recall, a laid off individual must have either: (a) held the same or similar position at the same employment site at the time of the most recent separation; or (b) be qualified or capable of being qualified for the position by receiving the same training that a completely new hire would receive for the position.

Setting aside the nightmares that will be involved in the administration and enforcement of such a ordinance, forcing any business to rehire employees based on seniority rather than performance, skills and other qualifications is ludicrous. All you will do with this anti-business ordinance is force hotels to create new positions so that there were no employees in them prior, contact employees via text on phones they likely couldn't afford to maintain while out of work, and otherwise 'adjust' their hiring practices to this flawed ordinance. In effect you will do nothing substantive but provide a basis for lawyers to harass hotel with lawsuits over their hiring practices.

Vote NO on this ordinance tonight and use your time together to provide support to our City's citizens. If you want to support Pasadena residents (and not out of City workers who commute here to work) get creative with programs to support the hiring of your constituents. Set up jobs boards and training opportunity's to match City residents and City employers. **But before you vote on this flawed ordinance ask how many of these workers you are trying to protect live in Pasadena? If you don't know you aren't**

protecting your constituents but rather punishing those that support our City, its thriving business community.

Jonathan Jaffrey

Pasadena Resident and Business Owner (non-hotel)



CALIFORNIA RESTAURANT ASSOCIATION

JUL 20 PM 4:11

## LOS ANGELES CHAPTER

July 20, 2020

Pasadena City Council  
Pasadena City Hall  
100 North Garfield Ave.  
Pasadena, CA 91101

**RE: Draft Ordinance on Right of Recall/Retention.**

Dear City Councilmembers,

On behalf of the California Restaurant Association (CRA), I would like to express our strong opposition to the draft ordinance that would establish a right of recall/retention policy.

The coronavirus poses unprecedented challenges to the nation- and Los Angeles County in particular, as the unprecedented government ordered closure of restaurant dining rooms has forced restaurants to either adjust their business model by providing meals through takeout, delivery and outdoor dining only or shutting down completely. Not every restaurant can pivot to a take-out, delivery and outdoor dining model, and those who can, do so with incredible loss. The impact of these changes to restaurant operations has been devastating in an industry that is uniquely characterized by razor-thin economic margins. Even in a good economy, a restaurant operator typically earns about five cents to every dollar they earn in sales. That means an owner earns about \$50,000 for every \$1 million in sales. Restaurants in today's crisis environment simply do not have revenue matching costs.

### **Right of Recall/Retention Mandates**

Compliance with the State and the City of Pasadena Public Health Department orders has forced restaurants to make unplanned, and unfortunate adjustments to operations and staffing levels. A "right of recall" policy fails to take into account the manner in which restaurants operate. Under such severe restrictions, restaurants would be forced to hire staff based on seniority rather than need. This would undoubtedly prevent many restaurants from opening, leading to loss of employment, and forgone tax revenue to the city.

A "right of recall" mandate on restaurants, even when it pertains only to those located in hotels, assumes that restaurants will be able to operate in full force once dine-in service resumes, but that is simply not the case. The full-service restaurant model as we know it will not exist immediately after the crisis ends. Social distancing protocols in restaurants are likely to remain in play to some degree negatively impacting staffing levels for reasons entirely out of our control.

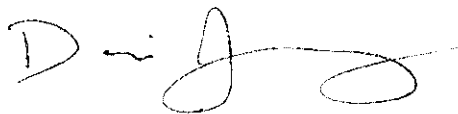
Similarly, the right of retention hinders the possibility of new ownership (once the crisis clears) by requiring that new ownership offer previous employees the first positions that become available at the establishment based on seniority. Understanding that the restaurant community operates with low margins on a good day and dwindling cash flow in the midst of this public health crisis, it is misguided to place additional barriers for those who could potentially enter the restaurant community for a job.

California Restaurant Association  
P.O. Box 32482, Los Angeles, CA 90032

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Due to the reasons above and the detrimental impact the entire restaurant community is currently facing, we ask that you exempt all restaurants from the proposed ordinances above, and instead work to create policies that help the restaurant community "hibernate" during this crisis and, hopefully, re-emerge as local employers and continue as a cornerstone of the City restaurant community.

Sincerely,

A handwritten signature in black ink, appearing to read "David Juarez". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

David Juarez  
Director of Local Government Affairs  
California Restaurant Association

**Martinez, Ruben**

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**From:** City Web  
**Sent:** Monday, July 20, 2020 8:50 AM  
**To:** PublicComment-AutoResponse; City\_Council  
**Subject:** Public Comment for Meeting on July 20, 2020 about Agenda Item 28

## **Public Comment for Meeting on July 20, 2020 about Agenda Item 28**

<b>Name:</b>	<b>Email:</b>	<b>Phone:</b> 626-	<b>Address:</b> 1000 N El
Mark	markhenrymaier@glendale.edu	487-8379	Molino Ave, Pasadena,
Maier			CA 91104

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### **Comments:**

I write to thank the City Council for its vote in favor of recall and retention rights for hospitality workers. I presume that, based on the staff report, the Council will move the ordinance forward. As hotels are able to reopen, it is important to protect workers from losing their jobs for example to agency hires. The complaint by 21 workers at the Langham-Huntington alone shows that a large number of Pasadena workers are in potential jeopardy.

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**Consent given to read my comments out loud: Yes**

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**Martinez, Ruben**

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**From:** City Web  
**Sent:** Monday, July 20, 2020 12:20 PM  
**To:** PublicComment-AutoResponse; City\_Council  
**Subject:** Public Comment for Meeting on July 20, 2020 about Agenda Item 28 - hotel worker recall

## **Public Comment for Meeting on July 20, 2020 about Agenda Item 28 - hotel worker recall**

<b>Name:</b> Paul Little - Pasadena City Council	<b>Email:</b> paul@pasadena- chamber.org	<b>Phone:</b> 626- 795-3355	<b>Address:</b> 44 N Mentor Ave, Pasadena, CA 91106
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### **Comments:**

Please do not enact this ordinance to require hotels to recall workers based on your government-imposed formula.

Your hospitality industry is not struggling, it is withering. Right now, three hotels are closed. Others are operating at 20% capacity. This is not sustainable for the hotels.

These hotels are foundational to our hospitality industry. At a time when they need flexibility and control over how and when they reopen (if they can reopen), you need to provide fewer obstacles, not more.

City transient occupancy tax revenues are dependent on the success of your hotels and motels. These well-intentioned restrictions could mean longer periods of closure for hotels, fewer rooms available for guests and a longer recovery period for our entire hospitality, convention and visitor industry.

Now is the time to enable your local businesses to reopen, not restrict the terms under which they can operate.

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Please shelve this ordinance and give your hoteliers as much of a chance as possible to recover and survive.

Thank you.

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**Consent given to read my comments out loud: Yes**

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**From:** City Web  
**Sent:** Monday, July 20, 2020 1:36 PM  
**To:** PublicComment-AutoResponse; City\_Council  
**Subject:** Public Comment for Meeting on July 20, 2020 about Agenda Item 28

## **Public Comment for Meeting on July 20, 2020 about Agenda Item 28**

**Name:** Carl Friedlander      **Email:** carl.friedlander@gmail.com      **Phone:** 323-240-4309      **Address:** 210 Cherry Dr, Pasadena, CA 91105

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### **Comments:**

I hope the Council will follow through and pass the the ordinance to provide suffering hotel workers a guarantee that they will be recalled when hiring resumes. Glendale, LA City, LA County and Santa Monica have made this guarantee and Pasadena should join them. The terrible experience of the Langham workers demonstrates the need to pass the ordinance. Please make Pasadena proud!

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**Consent given to read my comments out loud: Yes**

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**Martinez, Ruben**

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**From:** City Web  
**Sent:** Monday, July 20, 2020 2:33 PM  
**To:** PublicComment-AutoResponse; City\_Council  
**Subject:** Public Comment for Meeting on July 20, 2020 about Agenda Item 28

## **Public Comment for Meeting on July 20, 2020 about Agenda Item 28**

**Name:** Juliana Serrano      **Email:** jserrano@allsaints-pas.org      **Address:** 132 North Euclid, Pasadena, LA County, CA 91101

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### **Comments:**

I applaud the Council for moving forward with the creation of an ordinance to protect hotel workers in our great city. As you know well, these are incredibly challenging times for those who live and work in Pasadena. This ordinance will provide a needed form of support and relief to employees in a critical sector of our local economy and culture. Thanks to the leadership of the EdTech Committee for doing the right thing pushing this matter. I hope that you will unanimously vote "yes" on this ordinance today.

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**Consent given to read my comments out loud: Yes**

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