

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCIL PRESIDENT NIKKI FORTUNATO BAS
AND COUNCILMEMBER CARROLL FIFE

RESOLUTION SUPPORTING CALIFORNIA STATE ASSEMBLY BILL NO. 257, “THE FAST FOOD ACCOUNTABILITY AND STANDARDS RECOVERY ACT” (“FAST RECOVERY ACT”), INTRODUCED BY ASSEMBLY MEMBER LORENA GONZALEZ TO ESTABLISH THE FAST FOOD SECTOR COUNCIL, WHICH WOULD INCLUDE WORKER REPRESENTATIVES ALONG WITH GOVERNMENT AND INDUSTRY REPRESENTATIVES, TO PROMULGATE MINIMUM FAST FOOD RESTAURANT EMPLOYMENT PROTECTIONS FOR CALIFORNIA’S ONE-HALF MILLION FAST FOOD WORKERS

WHEREAS, California fast food restaurants employ well over 556,000 Californians, the highest number of any state in the country, and of those fast food workers, a majority are over age 23 and nearly 70% are people of color;¹ and

WHEREAS, historically, fast food industry workers have been subject to low wages and unsafe workplace conditions and a 2020 report by the U.S. Government Accountability Office found that millions of full-time workers rely on federal health care and food assistance programs as a result of earning low wages, including a high concentration of fast food workers; and

WHEREAS, a March 2021, a report by researchers at University of California at Los Angeles and University of California, Berkeley found that in California, two-thirds of fast-food workers are enrolled in a major government safety net program, at an average cost to taxpayers of \$4 billion statewide annually;² and

¹ <https://www.americanprogress.org/issues/economy/reports/2021/04/20/498205/raising-standards-fast-food-workers-california/>

² <https://www.labor.ucla.edu/publication/fast-food-covid19/>

WHEREAS, even before the pandemic, fast-food workers faced numerous challenges, including low wages, workplace violence, harassment and wage theft, putting them on the razor’s edge of economic calamity;³ and

WHEREAS, in an industry where workers operate in fast-paced and crowded environments and are frequently in physical contact with customers, fast food workers have been particularly vulnerable to contracting COVID-19; and

WHEREAS, researchers from the University of California, San Francisco found that line cooks had a 60% increase in mortality associated with the pandemic and Latinx food service workers saw a 39% increase in mortality;⁴ and

WHEREAS, since the onset of the COVID-19 pandemic, numerous local, state and federal laws and regulations have been instituted to require operational changes on the part of businesses to protect employees from infection; and

WHEREAS, numerous complaints filed by fast food workers with local health departments illustrate fast food operators routinely have flouted the required protections, including, but not limited to, requiring workers to work without access to personal protective equipment, denying workers sick pay, failing to inform workers of exposure to COVID-19, actively hiding COVID-19 cases, and demanding that workers come to work when they are sick; and

WHEREAS, fast food workers are the largest and fastest growing group of low-wage workers in the state yet lack industry-specific protections; and

WHEREAS, Assembly Bill (“AB”) 257, the FAST Recovery Act, would ensure workers and employers work together with state agencies to raise overall standards and protections in the fast food industry; and

WHEREAS, AB 257 would establish a statewide Fast Food Sector Council which would include representatives from state agencies, and fast food franchisors, fast food franchisees, fast food restaurant employees and advocates for fast food restaurant employees, whose purposes would include periodically reviewing and creating statewide minimum health, safety and employment standards in the fast food restaurant industry; and

³ <https://www.theguardian.com/us-news/2017/aug/21/missouri-fast-food-workers-better-pay-popeyes-economics>; <https://www.vox.com/the-highlight/2019/7/6/20681186/fast-food-worker-burnout>

⁴ <https://www.cnbc.com/2021/02/02/jobs-where-workers-have-the-highest-risk-of-dying-from-covid-study.html>

WHEREAS, AB 257 would hold fast food franchisors responsible for ensuring their franchisees comply with applicable health, safety and employment standards; and

WHEREAS, AB 257 would help to address widening income inequality, with a small number of executives profiting immensely while paying workers poverty-level wages and subjecting them to unsustainable working conditions; and

WHEREAS, California can emerge from COVID-19 stronger than ever before, but only if all essential workers, including Black, brown, Asian and immigrant workers, have a forum in which to express their concerns about workplace conditions and feel empowered to help work towards solutions; now, therefore, be it

RESOLVED: That the Oakland City Council stands with workers, community groups and labor unions in strong support of AB 257 and urges the California State Legislature to pass this bill to empower and provide workplace protections for California's fast food workers; and be it

FURTHER RESOLVED: That the City Council hereby directs the City Clerk to transmit a copy of this Resolution to the California Senate President pro Tempore Toni Atkins, California Assembly Speaker Anthony Rendon, Governor Gavin Newsom, and the Bill's primary sponsor, State Assembly Member Lorena Gonzalez.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California