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To: Fellow Councilmembers  
From: Vice Mayor Jane Brunner  
Date: November 29, 2005  
Re: Suggested Changes to Oakland Cable Ordinance

I would like to submit the following amendments to the Oakland Cable Franchise Ordinance for discussion at the City Council meeting of December 6<sup>th</sup>:

#### 2.36.40 Free Speech Rights of Employees

A grantee may not discriminate or take an adverse action against any of its employees or the employees of any of its contractors or subcontractors performing work, labor or other services for Grantee in retaliation for speaking before or filing a complain with any government agency, board, commission or court of law in the City of Oakland ~~regarding the employee's good faith belief that the Grantee or its contractor or subcontractor has violated federal, state or local law, of the terms of the Grantee's franchise.~~

Accordingly, any internal policies, employee handbooks, directives or codes of conduct promulgated by a Grantee shall not be construed to limit employees from informing, testifying before or participating in any government agency, board, commission or court sponsored proceeding in the City of Oakland ~~regarding the employee's good faith belief that the Grantee or its contractor or subcontractor has violated federal, state or local law, of the terms of the Grantee's franchise.~~

Nothing in this section shall be interpreted or applied so as to create any duty or power in conflict with any federal or state law.

#### 2.36.041 Reporting Requirements

Within seven (7) days of using a contractor or subcontractor for work, labor or services which the Grantee is obligated to perform for the City pursuant to its Franchise, the Grantee shall notify the City's Contract Compliance and Employment Services Office and provide a detailed scope of service. Such notification shall inform the City of the name of the contractor, subcontractor and/or any company they are working for, the nature of the work to be performed and the expected period of time during which the contractor/subcontractor is expected to be utilized. The seven day notice requirement shall be extended in the even it is made impossible or impracticable by war or riots, civil disturbances, floods or other Acts of God.