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**DRAFT**

Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

Introduced by Council Member Jean Quan

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### RESOLUTION SUPPORTING SENATE BILL 1304: THE MICHELLE MAYKIN MEMORIAL DONATION PROTECTION ACT

**WHEREAS**, STATE SENATOR MARK DESAULNIER HAS INTRODUCED SENATE BILL 1304: THE MICHELLE MAYKIN MEMORIAL DONATION PROTECTION ACT, WHICH WILL GRANT THE RIGHT OF EMPLOYEES TO UTILIZE UP TO 5 DAYS OF PAID LEAVE FOR THE PURPOSES BONE MARROW DONATION;

**WHEREAS**, THE CITY OF OAKLAND RECOGNIZES THE AMAZING LIFE OF MICHELLE MAYKIN, WHOSE COURAGEOUS FIGHT AGAINST LEUKEMIA HAS INSPIRED THOUSANDS TO REGISTER TO SAVE LIVES AS BONE MARROW DONORS; AND

**WHEREAS**, BONE MARROW DONATIONS ARE ESSENTIAL FOR THE TREATMENT OF MORE THAN 70 LIFE-THREATENING DISEASES; AND WHEREAS, SUCH ALTRUISTIC DONATIONS ARE ENTIRELY VOLUNTARY TO BENEFIT OTHERS, WITHOUT COMPENSATION, AND SHOULD BE ENCOURAGED; AND

**WHEREAS**, THERE IS A PARTICULARLY ACUTE NEED FOR ETHNIC MINORITY AND MULTI-ETHNIC DONORS - OF THE NEARLY 7 MILLION PEOPLE ON THE NATIONAL MARROW DONOR PROGRAM, ONLY 9 PERCENT ARE OF AFRICAN ANCESTRY, 8 PERCENT ARE OF ASIAN ANCESTRY, 7 PERCENT ARE OF LATINO ANCESTRY, AND 3 PERCENT ARE OF MULTIPLE ANCESTRIES; AND WHEREAS, ETHNIC MINORITIES ARE NEARLY 3 TIMES LESS LIKELY TO FIND A LIFE-SAVING MATCH AND THAT NUMBER IS HIGHER FOR THOSE WITH MULTI-ETHNIC BACKGROUNDS; AND

**WHEREAS**, IN ADDITION TO THE DIFFICULTY A PATIENT FACES IN FINDING A LIFE-SAVING MATCH, THERE IS ALSO THE UNNECESSARY HURDLE FOR DONORS TO SECURE PAID LEAVE FROM EMPLOYMENT TO UNDERGO THE DONATION PROCESS, WHICH COMPOUNDS THE IMPACT ON MINORITY PATIENTS IN NEED; AND

**WHEREAS**, THE DONATION PROCESS TYPICALLY REQUIRES DONORS TO UNDERGO 5 DAYS OF REST AND PREPARATION THAT IS MEDICALLY NECESSARY FOR THE PROCEDURE; AND

**WHEREAS**, A NUMBER OF POTENTIAL LIFE-SAVING DONATIONS ARE NEEDLESSLY DELAYED OR PREVENTED DUE TO THE LACK OF LEAVE AND POSITION SECURITY FOR EMPLOYEES WHO WANT TO GIVE THE GIFT OF LIFE; AND

**WHEREAS, ENGAGING IN THIS LIFE-SAVING DONATION SHOULD NOT PENALIZE PARTICIPATING EMPLOYEES BY REQUIRING THEM TO EXHAUST FAMILY LEAVE, SICK LEAVE, VACATION, OR TAKING LEAVE WITHOUT PAY; AND**

**WHEREAS, THE CITY OF OAKLAND RECOGNIZES THE IMPORTANCE OF PAID LEAVE FOR THE PURPOSES OF BONE MARROW DONATION AND THAT THERE SHOULD BE NO BARRIERS TO PREVENT GIVING THE GIFT OF LIFE.**

**NOW, THEREFORE BE IT RESOLVED THAT THE CITY OF OAKLAND HEREBY SUPPORTS SENATE BILL 1304: THE MICHELLE MAYKIN MEMORIAL DONATION PROTECTION ACT; AND**

**BE IT FURTHER RESOLVED THAT COPIES OF THIS RESOLUTION BE SENT TO THE SENATE COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS, CALIFORNIA STATE SENATORS DARRELL STEINBERG AND LONI HANCOCK, ASSEMBLYMEMBERS NANCY SKINNER AND SANDRÉ SWANSON AND GOVERNOR ARNOLD SCHWARZENEGGER.**

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California