



## *San Francisco Employee Protections Ordinance* *Implementation Guidance*

**May 6, 2020**

Consistent with health orders for essential businesses, the San Francisco Employee Protections Ordinance requires On-Demand Delivery Services to implement health and safety measures for their employees (including shoppers and drivers). It also requires On-Demand Delivery Services and other specified employers to allow employees to use any available accrued paid sick leave or emergency paid sick leave, or where reasonably feasible to reschedule or make up the work without penalty.

To review the full text of the Employee Protections Ordinance, go to [www.sfgov.org/olse/employee-protections-ordinance](http://www.sfgov.org/olse/employee-protections-ordinance).

### **Provision or Reimbursement of Supplies for Employee Health and Safety**

“Covered Employers that are On-Demand Delivery Services must provide to or reimburse Employees for the reasonable cost of purchasing necessary hand sanitizer, disinfecting cleaning supplies, and any needed personal protective equipment such as gloves and face masks.” (Section 4(a))

1. Under California Labor Code Section 2802, all necessary expenditures must be reimbursed. If a covered employer has a policy providing for the protective equipment employees may use that meets the requirements of the ordinance, an employer may enforce that policy provided that it supplies employees the equipment, or the equipment is readily available for the employee to purchase for reimbursement. If the employer has no policy on protective equipment, the employer may verify that the employee’s expenses were for protective equipment to perform work for the employer, but may not deny reimbursement.
2. [Health Order No. C19-12](#) requires employees to wear face coverings over the nose and mouth when in the workplace or when they may interact with the public. Employees should use a clean face covering at least one each work day, and employers must provide an adequate supply to ensure they may do so. For reusable/washable face coverings, OLSE will consider one face covering per work day sufficient if the employee launders the employee’s own masks (e.g., four face coverings per week for an employee who works four days per week). For disposable face coverings, the employer may supply them in any quantity so long as the employer ensures that the employee maintains an adequate supply to change face coverings each work day.

3. Employers may provide or reimburse employees for cleaning / sanitation supplies in any quantity provided the employer ensures that the employee has adequate supplies to frequently clean the employee's hands and high touch surfaces.

Delivery employees who may have to touch un-sanitized areas that may be frequently touched, such as doorbells, buzzers, and door handles, must use hand sanitizer after each delivery or disposable gloves discarded after each delivery. Employers must ensure that delivery employees have adequate supplies to adhere to these protocols.

### **Disinfection of High-Touch Surfaces**

“Covered Employers that are On-Demand Delivery Services must require delivery drivers to regularly disinfect high-touch surfaces in their vehicles and compensate them for doing so.”  
(Section 4(d))

1. Employers may provide guidance to employees on how frequently employees must clean high-touch surfaces for effective protection of employees and members of the public. Employers must ensure that vehicle interiors, other transportation equipment, and all shared devices or equipment are cleaned on frequent schedules, not less than at the beginning and end of each employee's work shift and during the shift.
2. Employers have discretion in how to compensate their employees, as long as they follow all relevant California and San Francisco laws, in particular ensuring that each employee is compensated at a rate at least equal to the San Francisco minimum wage for the time they spend working, including required sanitation activities.

**To file a complaint under the Employee Protections Ordinance, call 311**

**For general questions, email [Employee.Protections@sfgov.org](mailto:Employee.Protections@sfgov.org) or call (415) 554-7890**