



June 5, 2017

Carolyn Lehr  
City Manager  
City of Emeryville, CA  
1333 Park Avenue  
Emeryville, CA 94608

**Re: Fair Workweek Ordinance Implementation**

Dear Ms. Lehr:

On behalf of the Retail Industry Leaders Association (RILA) and the California Retailers Association (CRA), we are writing today to respectfully request a stay of enforcement for the City of Emeryville's Fair Workweek ordinance, which is currently slated to go into effect on July 1, 2017.

As you are likely aware, RILA is the trade association of the world's largest and most innovative retail companies who operate many of the storefronts and represent hundreds of employees throughout Emeryville. These companies have made substantial investments in the city and provide city residents with jobs and access to the services and consumer goods they both want and need.

The California Retailers Association is the only statewide trade association representing all segments of the retail industry including general merchandise, department stores, mass merchandisers, restaurants, convenience stores, supermarkets and grocery stores, chain drug, and specialty retail such as auto, vision, jewelry, hardware and home stores. CRA works on behalf of California's retail industry, which currently operates over 418,840 retail establishments with a gross domestic product of \$330 billion annually and employs 3,211,805 people—one fourth of California's total employment.

As we have seen in other jurisdictions that have passed similar ordinances, the rule drafting process can be extremely complicated and can have wide ranging unintended consequences if all affected voices are not heard. This ordinance will have a fundamental impact on the operations of retailers in Emeryville including, among other things, a retailer's ability to offer additional hours to its employees and to accommodate employee schedule requests. Our industry has endeavored to be helpful in the process; however, forcing this complex process into a six-week timeline is not conducive to ensuring that the most responsible and effective rules are produced that will benefit both the employers and employees of Emeryville.

Additionally, the expertise on this issue from the retailer perspective resides with those who deal with human resource and scheduling issues on a daily basis. Many retailers employ professionals who have a clear understanding of individual company policies as well as the



impact on employees. The efforts of some in the city's rulemaking process to conduct on the spot interviews of in store employees while on the job unfairly disrupts retail operations and will not result in a comprehensive understanding of companywide policies and how the rules may be best crafted to comply with the city law.

We believe that a stay of enforcement will allow us to work together to ensure that the city productively engages with the experts within the retail industry to produce what we hope is a workable regulation process.

We look forward to hearing from you and continuing to engage in a productive conversation.

Sincerely,

Brian Rose  
Director, State Affairs and Advocacy  
Retail Industry Leaders Association

Bill Dombrowski  
President & CEO  
California Retailers Association

CC. Michael Guina, City Attorney, Emeryville, CA.