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IN CASE YOU MISSED IT

Editorial
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Public Health Councils Are Unnecessary

A new proposal that could add new costs to employers of as much as 0.44 percent of payroll is on the verge of being adopted by the L.A. County Board of Supervisors, another ominous step in California's steady march in the direction of zero employment.

Citing the need for more enforcement of health protocols in the workplace, the county has advanced a plan for "public health councils." There are few details yet on exactly how this would work, but the outlines of the idea are described in a "research brief" published in July by the UCLA Labor Center, the UC Berkeley Labor Center and the UCLA Institute for Research on Labor and Employment.

"The County's Department of Public Health lacks sufficient investigators to pose a credible threat of a compliance check at the county's 244,000 businesses," the paper begins.

This sentence by itself goes far to explain the slow-walking of reopening businesses in California while other states successfully move forward toward a return to normal life. Enforcement has taken precedence over employment. Everyone who would like to go back to work will just have to wait until there are enough badge-flashing inspectors to write citations in every business in the state simultaneously.

Toward this end, the L.A. County proposal would allow employees to form public health councils and themselves become badge-flashing inspectors. The UC report recommends an ordinance that requires employers to permit workers to "participate in public health council activities on paid time," estimating that council members would spend 4.4 percent of their time on council activities. The report recommends that not less than two workers and not more than 10 percent of the workforce would participate at each workplace, "so that the maximum cost to an employer would be 0.44 percent of payroll for the duration of the order."

"Given the chaotic and everchanging rules set by public health orders from the cities, counties and state, it is unwise in the extreme to impose yet another layer of regulatory enforcement on businesses.

We urge the discarding of this idea and encourage lawmakers and policymakers to spend less time entertaining half-baked ideas and more time figuring out how to safely reopen the economy."

The training costs are on top of that. The UC researchers estimated that the cost of having the employees “trained by certified worker organizations” would be “\$1.1 million to the county and an average of 0.1 percent of operating costs for employers.”

The costs are only one issue. Arguably, the most significant and deleterious part of this proposal is the idea of saddling businesses with half baked “councils” of employees performing functions that existing mechanisms are already suited to handle.

The UC report says the councils “envisioned by this proposal lack the functions and power of a union, but they do provide critical functions, such as transmission prevention education, an avenue for workers to identify risks and raise them with management, and follow up on compliance, with some protection from retaliation.”

A report from the Department of Public Health to the Board of Supervisors on the proposed law did not include any sunset date, raising the question of whether the plan is to have the county’s 244,000 businesses forced to accept union-trained, in-house compliance enforcers permanently.

Violations would be reported by employees to the public health councils, which would report them to the county, which would then impose fines and penalties.

Employers in California have been devastated by the effects of the lockdown policy and the restrictions on their operations.

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