

GENERAL SERVICES AGENCY
OFFICE OF LABOR STANDARDS ENFORCEMENT
PATRICK MULLIGAN, DIRECTOR



[sent via email to jeff@shusny.com]

PRELIMINARY FINDINGS

September 19, 2022

Jeffrey A. Snyder
Shuman Snyder LLP
525 Middlefield Rd., Suite 140
Menlo Park CA 94025

RE: Downtown Streets Team: San Francisco Health Care Security Ordinance, Case No. HCSO-1042

Dear Mr. Snyder:

Thank you for facilitating Streets Team's cooperation with the HCSO audit, and for providing a thorough response to our information request. Based off the information your client provided, we calculated the organization's liability for the audit period spanning January 1, 2019 to December 31, 2021. Our preliminary findings are that DST owes a total of **\$475,529.98** in health care expenditures to 203 current and former workers, and **\$62,975.92** in penalties to the City.

The spreadsheets showing our calculations are attached here. We ask that you review them with your client in the next 30 days and provide us with any additional information you believe we may need.

PROGRAM PARTICIPANTS

You'll notice that \$394,506.67 of the restitution amount is for the group of workers DST contends are "volunteers." The City Attorney's Office reviewed all the information provided by DST, including the caselaw, and supports OLSE's position that the Team Members are employees, not volunteers. The numbers reflected in these findings include the amounts owed to this group of workers.

EXEMPTIONS

OLSE reviewed the list of employees whom DST claims are exempt from the HCSO. The following were deemed exempt and are not owed funds during the time periods in which they were exempt: Brendan Heinkel, Romie Nottage, Brandon Davis.

OLSE did *not* deem the following employees to be exempt, because review of the data demonstrated their salaries fell below the required threshold: Kenneth Davis, Alisha Foster, Raymond Gonzales, Genevieve Lucas-Conwell, Gregory Nottage.

MISSING DATA

DST did not provide salary verification for employees Savannah Schoeren or Matthew Shirer. If DST maintains these employees are exempt, it will need to provide salary verification. DST also failed to submit any work hours for Team Members in Quarter 2 of 2020, and for STE employees in Q1 2021 and Q4 2021. We will need those hours within 30 days so we can adjust the amounts owed accordingly.

NEXT STEPS

Please review these findings with your client and provide additional information within 30 days. We hope to work with you and your client to resolve this manner, and we will make ourselves available to discuss this with you.

If you have any questions about this letter or the information requested, you should contact me by telephone at 415-554-6733 or by email at maura.prendiville@sfgov.org.

Sincerely,



Maura Prendiville
Supervising Compliance Officer

CC: Jim Rettew
Elfreda Strydom
Karen Reinhold