

## **Court revives L.A. law protecting grocery workers**

**The ordinance requires new owners to hire the grocery stores' existing workforces for at least 90 days.**

**By Maura Dolan, Los Angeles Times**

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Laws passed by California cities to protect labor when businesses change hands received a boost Monday from the California Supreme Court, which revived a Los Angeles ordinance aimed at protecting grocery workers.

The state high court ruled 6 to 1 that the 2005 city measure, which lower courts had rejected, did not usurp state or federal law or violate constitutional guarantees by requiring new grocery store owners to keep existing employees for months after taking over ownership.

The Los Angeles law is one of several in the state that require companies to hire existing workforces for at least a while after purchasing other companies. Opponents have complained that such laws would proliferate if approved by the state's top court and bind new businesses that want to bring in their own teams.

Court of Appeal Justice Elizabeth A. Grimes, temporarily filling a vacancy on the state high court, dissented, contending the ordinance interfered with federal labor law and suggesting the U.S. Supreme Court should examine the case.

"The city's ordinance requires a new grocery employer ... to function during the important initial period of its operations with a work force it deems, for entirely legitimate reasons, unsuitable for its planned operations," Grimes, a Los Angeles-based jurist, wrote in a dissent that was nearly as long as the majority ruling.

But a group that defended the law said the ordinance came in response to large layoffs of grocery workers after stores changed owners.

"This is an important victory for tens of thousands of grocery workers who now don't have to worry about losing their jobs simply because of a corporate ownership change," said Roxana Tynan, deputy director of the Los Angeles Alliance for a New Economy, an advocacy group.

The Los Angeles law affected grocery stores of at least 15,000 square feet. New owners were required to hire previous employees, excluding managers, for at least 90 days after the operation reopened.

Grocers sued, contending that other laws, including state health and safety regulations and federal labor laws, prevented localities from weighing in on such matters.

Justice Kathryn Mickle Werdegar, writing for the court, said the Los Angeles law did not violate constitutional guarantees or interfere with other laws, including labor provisions.

The law "applies equally to unionized and nonunionized workplaces," Werdegar wrote. "It does not selectively preserve or favor unionization or unionized workers; it simply preserves, temporarily, the status quo, whatever that might be."

A spokesman for the California Grocers Assn. said it had not yet decided whether to seek U.S. Supreme Court review.