



Newsroom

AG Racine Secures Instacart Agreement to Expand COVID-19 Paid Sick Leave for Grocery Delivery Workers

June 2, 2020

To Address OAG's Desire to Expand Protections for Workers and Public Health, Instacart Will Broaden Eligibility for Paid Leave, Offer Free Telemedicine to District Workers

WASHINGTON, D.C. – Attorney General Karl A. Racine today announced that Instacart will expand its COVID-19 Extended Pay Program in order to address the Office of the Attorney General's (OAG's) desire to expand protections for workers and protect public health. As part of the agreement with OAG, the on-demand grocery delivery company will immediately begin allowing workers nationwide to access up to 14 days of paid leave if a doctor diagnoses them with COVID-19 or if they live with someone who has tested positive for COVID-19. Previously, workers were only eligible if they tested positive for COVID-19 or were ordered to quarantine by a public health authority. Instacart will also begin offering free telemedicine appointments to workers suffering from COVID-like symptoms. This will allow workers who do not have their own doctor to access health care and paid sick leave. The telemedicine program will be piloted in the District of Columbia before it is expanded to other locations. Instacart will also offer childcare assistance pay to eligible District workers during the month of June and make a \$50,000 donation to the Capital Area Food Bank to help District residents facing food insecurity.

"We thank Instacart for doing the right thing and allowing more of its workforce, including thousands of District workers, to access health care and paid leave if they are suffering from COVID-19," said AG Racine. **"During this pandemic, grocery delivery workers are risking their health to connect District residents to essential goods. Instacart's new policy will ensure that workers who are sick can stay home and seek care, and it helps protect their colleagues, consumers, and the public during this crisis."**

Based in San Francisco, Instacart operates a nationwide grocery delivery business that operates in all 50 states. Instacart customers place orders at grocery stores through Instacart's mobile application or website. Those orders are then fulfilled by Instacart's Full-Service Shoppers ("shoppers"), who shop for and deliver the customer's groceries. In the District of Columbia, more than 10,000 shoppers deliver groceries for Instacart.

In March 2020, Instacart announced a "COVID-19 Extended Pay Program," which provided up to 14 days of paid sick leave to shoppers who either tested positive for COVID-19 or were ordered to quarantine by public health officials. However, these criteria did not cover workers who suffered from COVID-19 symptoms, but lacked access to COVID-19 testing or a formal quarantine order. OAG urged Instacart to broaden eligibility for the Extended Pay Program, so that more workers can stay home and seek care if sick, thereby better protecting the health of workers, customers, and the public. Recognizing the limited availability of COVID-19 testing, Instacart has agreed to expand its Extended Pay Program, providing a broader group of shoppers affected by COVID-19 with access to paid sick leave.

Specifically, Instacart has agreed to:

- **Expand eligibility for paid sick leave:** Instacart will expand eligibility for paid sick leave through its Extended Pay Program to cover shoppers who are clinically diagnosed with COVID-19 by a medical provider. Shoppers can obtain a diagnosis from their own healthcare provider or through a telemedicine service provided by Instacart free of charge. In addition, Instacart is also expanding the Extended Pay Program to cover shoppers who reside in the same household as an individual who has tested positive for COVID-19. These changes expand the number of shoppers who are eligible for paid sick leave under the Extended Pay Program, which was previously limited to shoppers who had either tested positive for COVID-19 or were ordered to quarantine by a public health authority.
- **Offer free telemedicine for workers with COVID-19 symptoms:** Instacart will partner with telemedicine provider Doctors on Demand to offer free telemedicine appointments with doctors to workers experiencing COVID-like symptoms. If the doctor clinically diagnoses the worker with COVID-19, that worker will then be eligible for Instacart's COVID-19 Extended Pay Program.

Instacart's telemedicine program will be piloted in the District of Columbia before being expanded to other locations.

- **Provide childcare assistance pay to eligible D.C. workers:** District Instacart workers who are primary caregivers for children may be eligible to receive up to 14 days of financial assistance in the month of June if their child's school or daycare is closed because of COVID-19. The assistance will be based on the workers' recent earnings and will be available to active Instacart workers who meet certain conditions.
- **Donate \$50,000 in food assistance:** To aid District families experiencing food insecurity due to the COVID-19 pandemic, Instacart will donate \$50,000 to the Capital Area Food Bank.

"Throughout the COVID-19 crisis, our team has been singularly focused on supporting the health and safety of our shopper community. As this pandemic continues to affect our communities, we believe it's important to expand our offerings to support the ongoing needs of shoppers during this critical time. Starting today, we're introducing a pilot in DC that would offer access to free telemedicine options and expanding our financial assistance program for those affected by COVID-19. These offerings will provide shoppers with an additional safety net and help get them access to the care they need. Lastly, we know parents and caregivers have been acutely impacted by school and care center closures due to COVID-19. In an effort to support primary caregivers, we're offering additional financial support to eligible shoppers who have been providing an essential service during time. We're proud to partner with Attorney General Racine to expand our offerings and continue supporting our valued shopper community," said Nilam Ganenthiran, President of Instacart.

Protecting Workers

Since gaining independent authority to investigate and bring wage theft cases in 2017, OAG has launched more than 30 investigations into wage theft and payroll fraud and has taken action against [a home health care provider \(https://oag.dc.gov/release/attorney-general-racine-sues-home-health-care\)](https://oag.dc.gov/release/attorney-general-racine-sues-home-health-care), [KFC franchises \(https://oag.dc.gov/release/attorney-general-racine-secures-lost-wages\)](https://oag.dc.gov/release/attorney-general-racine-secures-lost-wages), a [cell phone retailer \(https://oag.dc.gov/release/ag-racine-recovers-15k-stolen-wages-dc-cell-phone\)](https://oag.dc.gov/release/ag-racine-recovers-15k-stolen-wages-dc-cell-phone), a [cafe chain \(https://oag.dc.gov/release/ag-racine-sues-turning-natural-cafe-underpaying\)](https://oag.dc.gov/release/ag-racine-sues-turning-natural-cafe-underpaying), multiple [construction \(https://oag.dc.gov/release/ag-racine-announces-two-district-employers-must\)](https://oag.dc.gov/release/ag-racine-announces-two-district-employers-must) companies [\(https://oag.dc.gov/release/ag-racine-recovers-100k-unpaid-wages-district\)](https://oag.dc.gov/release/ag-racine-recovers-100k-unpaid-wages-district), and other businesses that harmed District workers. AG Racine also [testified before Congress \(https://oag.dc.gov/release/testimony-worker-misclassification-and-payroll\)](https://oag.dc.gov/release/testimony-worker-misclassification-and-payroll) to highlight findings from an [OAG report \(https://oag.dc.gov/release/ag-racine-releases-report-payroll-fraud-district\)](https://oag.dc.gov/release/ag-racine-releases-report-payroll-fraud-district) about how worker misclassification hurts workers, undercuts law-abiding businesses, and cheats taxpayers. In January, OAG secured a [wage theft settlement \(https://oag.dc.gov/release/ag-racine-announces-national-electrical-contractor\)](https://oag.dc.gov/release/ag-racine-announces-national-electrical-contractor) requiring Power Design, Inc.—a major electrical contractor—to pay \$2.75 million to hundreds of harmed workers and the District over wage theft and worker misclassification claims. This is OAG's largest wage theft settlement to date.

How to Report Wage Theft Violations

Workers can report wage theft or other wage and hour violations to OAG's Social Justice Section at **(202) 442-9828**. Learn more about workers' rights in the District and how to get help if those rights are being violated: <https://oag.dc.gov/workers-rights> (<https://oag.dc.gov/workers-rights>).

OAG's COVID-19 Resources

In response to the COVID-19 pandemic, OAG is teleworking until at least May 31. You can access OAG services online and over the phone during our telework period at:

- **Website:** [oag.dc.gov \(https://oag.dc.gov/\)](https://oag.dc.gov/)
- **Email:** [oag@dc.gov \(mailto:oag@dc.gov\)](mailto:oag@dc.gov) and [OAGCommunity@dc.gov \(mailto:OAGCommunity@dc.gov\)](mailto:OAGCommunity@dc.gov)
- **Phone:** **(202) 727-3400**
- **Fax:** **(202) 347-8922**
- **TTY:** **(202) 727-3400**

Consumer Alert: Protect yourself from scams, price gouging, discrimination, and get information about your rights during the pandemic by reading [OAG's Consumer Alert \(https://oag.dc.gov/blog/consumer-alert-coronavirus-covid-19-know-your\)](https://oag.dc.gov/blog/consumer-alert-coronavirus-covid-19-know-your) (available in [Amharic \(https://oag.dc.gov/blog/yatagalegaaye-maasethanegaqiya-koronaavaayerase\)](https://oag.dc.gov/blog/yatagalegaaye-maasethanegaqiya-koronaavaayerase), [Chinese \(https://oag.dc.gov/blog/xiaofeizhejingbaoguanzhuangbingdu-covid\)](https://oag.dc.gov/blog/xiaofeizhejingbaoguanzhuangbingdu-covid), [French \(https://oag.dc.gov/blog/alerte-aux-consommateurs-coronavirus-covid-19\)](https://oag.dc.gov/blog/alerte-aux-consommateurs-coronavirus-covid-19), [Korean \(https://oag.dc.gov/blog/sobija-allim-kolonabaileoseucovid-19-naui-gwonli\)](https://oag.dc.gov/blog/sobija-allim-kolonabaileoseucovid-19-naui-gwonli), [Spanish \(https://oag.dc.gov/blog/alerta-para-el-consumidor-coronavirus-covid-19\)](https://oag.dc.gov/blog/alerta-para-el-consumidor-coronavirus-covid-19) and [Vietnamese \(https://oag.dc.gov/blog/canh-bao-danh-cho-nguoi-tieu-dung-vi-rut-corona\)](https://oag.dc.gov/blog/canh-bao-danh-cho-nguoi-tieu-dung-vi-rut-corona)).

Latest COVID-19 updates: Visit [www.oag.dc.gov/coronavirus \(http://www.oag.dc.gov/coronavirus\)](http://www.oag.dc.gov/coronavirus) and sign up for OAG's newsletter at [www.oag.dc.gov/newsletter \(http://www.oag.dc.gov/newsletter\)](http://www.oag.dc.gov/newsletter).

For more District Government COVID-19 updates visit: coronavirus.dc.gov (<https://coronavirus.dc.gov/>)

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ADDITIONAL CONTACTS

For adult felony and federal cases in the District of Columbia, call the U.S. Attorney's Office at [\(202\) 252-7566](tel:(202)252-7566) (tel:(202) 2527566).

For federal cases generally, call the U.S. Department of Justice at [\(202\) 514-2000](tel:(202)514-2000) (tel:202-514-2000).



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