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REPORT NO. R 16 - 0 3 0 9
SEP 23 2016

REPORT RE:

**DRAFT ORDINANCES REGARDING EMPLOYERS' AND
CITY CONTRACTORS' USE OF CRIMINAL HISTORY IN
THE CONSIDERATION OF EMPLOYMENT APPLICATIONS**

The Honorable City Council
of the City of Los Angeles
Room 395 City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

Pursuant to the request of the City Council, we have prepared and now transmit for your consideration the enclosed two draft ordinances, approved as to form and legality. One draft ordinance amends the Municipal Code to prohibit employers of ten or more employees in the city of Los Angeles from inquiring into an employment applicant's criminal history until the employer has made a conditional offer of employment to the applicant. The draft ordinance provides that an employer may not fail to hire the applicant to whom a conditional offer of employment has been made based on the applicant's criminal history unless the employer determines that there is a link between that criminal history and the duties and responsibilities of the employment position. Employees who violate provisions of this article will be subject to fines and penalties. The draft ordinance provides certain exceptions from its coverage as required under State and federal laws.

The second draft ordinance amends the Administrative Code to impose the similar prohibitions and requirements regarding the use of employment applicants' criminal histories by City contractors and their subcontractors. In addition to the penalties and fines for violations, the ordinance authorizes, among other things, the termination of the City contract for a contractor's violation of the ordinance.

Council Rule 38 Referral

Copies of the draft ordinances were provided to the Office of the Legislative Analyst, the Office of the City Administrative Officer and the Bureau of Contract Administration.

If you have any questions regarding the draft ordinances, please contact Assistant City Attorney Curtis S. Kidder at (213) 978-7736 or Senior Assistant City Attorney Noreen Vincent at (213) 978-7730. They or another member of the Office will be present when you consider these matters to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON
Chief Assistant City Attorney

DM:CH:pj
Transmittal