

ECONOMIC DEVELOPMENT COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) and Los Angeles Administrative Code (LAAC) in regard to employers' and City contractors' use of criminal history the consideration of employment applications.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the following ORDINANCES, dated September 23, 2016, to:

- a. Add Article 9 to Chapter XVIII of the LAMC to limit employers' consideration of the criminal history of applicants for employment.
- b. Add Article 22 to Chapter I of Division 10 of the LAAC to limit City contractors' consideration of the criminal history of applicants for employment.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the City Administrative Officer nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

On September 27, 2016, your Committee considered a September 23, 2016 City Attorney report and accompanying Ordinances dated September 23, 2016 relative to amending the LAMC and LAAC)in regard to employers' and City contractors' use of criminal history the consideration of employment applications. According to the City Attorney, on July 1, 2016, Council moved to request the City Attorney to prepare and present the necessary Ordinances in regard to employers' and City contractors' use of criminal history the consideration of employment applications. In response, the City Attorney has prepared two Ordinances.

The first Ordinance amends the LAMC 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 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 Ordinance provides certain exceptions from its coverage as required under State and federal laws.

The second Ordinance amends the LAAC 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.

After consideration and having provided an opportunity for public comment, the Committee

moved to recommend approval of the two Ordinances as detailed in the above recommendation.
This matter is now submitted to Council for its consideration.

Respectfully Submitted,

ECONOMIC DEVELOPMENT COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
PRICE:	YES
CEDILLO:	ABSENT
HARRIS-DAWSON:	YES
KREKORIAN:	YES
O'FARRELL:	YES

ARL
9/27/16

-NOT OFFICIAL UNTIL COUNCIL ACTS-