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CITY ATTORNEY

REPORT NO. R 18 - 0034
JAN 31 2018

REPORT RE:

**APPLICABILITY OF THE HEALTHCARE PROVISIONS
OF THE LIVING WAGE ORDINANCE TO AIRLINES**

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

Council File No. 15-0817-S1

Honorable Members:

On December 5, 2017, the City Council requested our Office report on ways an airline might not be subject to the healthcare provisions of the City's Living Wage Ordinance (LWO), Los Angeles Administrative Code Section 10.37 et seq. As explained below, an airline can avoid the imposition of the healthcare provision in one of two ways.

First, Section 10.37.12(a) of the LWO allows an airline to supersede the healthcare provisions of the LWO if such intent is expressly stated in its collective bargaining agreement (CBA) with its employees, as long as the airline pays its employees the applicable wage rates mandated in the LWO for employers servicing the airport.

Second, Section 10.37.15(d) of the LWO states: "Nothing in this article shall limit the right of the Council to waive the provisions herein." Therefore, the City Council may, if it chooses, waive the healthcare provisions under Section 10.37.15(d) through Council

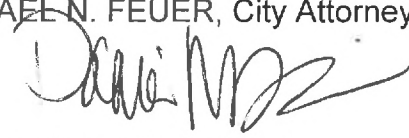
initiated action. If the Council chooses to waive the healthcare provision for airlines, Council should make findings supporting the rationale for the waiver.

If you have any questions regarding this matter, please contact Deputy City Attorney Dania Minassian at (213) 978-7100.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By

A handwritten signature in black ink, appearing to read "Dania Minassian", written over a horizontal line.

DANIA MINASSIAN
Deputy City Attorney

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Transmittal