

ORDINANCE NO. _____

An ordinance amending Sections 10.44.1, 10.44.2 and 10.44.8 of the Los Angeles Administrative Code relating to the First Source Hiring Ordinance.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. The definition of "Awarding Authority" in Section 10.44.1 of the Los Angeles Administrative Code is amended to read as follows:

"Awarding Authority" means any subordinate or component entity or person of the City, such as a department or Board of Commissioners, that has the authority to award or enter into any a Contract (as defined below). This shall not include any department that has control of its own funds.

Sec. 2. The definition of "CDD" in Section 10.44.1 of the Los Angeles Administrative Code is deleted.

Sec. 3. The definition of "Contract" in Section 10.44.1 of the Los Angeles Administrative Code is amended to read as follows:

"Contract" means a contract, which is in excess of \$25,000 with a term greater than three months, awarded to a Contractor by the City or by a Loan or Grant Recipient primarily to furnish services to or for the City or the Loan or Grant Recipient. This shall not include contracts for a public work subject to the requirements of Division 2, Part 7, of the California Labor Code.

Sec. 4. The definition of "EWDD" in Section 10.44.1 of the Los Angeles Administrative Code is added to read as follows:

"EWDD" means the Economic and Workforce Development Department's Workforce Development System.

Sec. 5. The definition of "Referral Resources" in Section 10.44.1 of the Los Angeles Administrative Code is amended to read as follows:

"Referral Resources" means any resource used to locate new employees considered for employment under this Article. Referral Resources shall include Trade Unions, Community Based Organizations, City Work Source Centers and any other resources approved by EWDD.

Sec. 6. Section 10.44.2 of the Los Angeles Administrative Code is amended to read as follows:

Sec. 10.44.2. First Source Hiring Procedure.

(a) A Contractor or Subcontractor shall notify EWDD of a specific employment opportunity at least seven days before releasing the employment opportunity announcement to the public, which will refer individuals for interview. The notice to the EWDD shall include:

- (1) The number of employment opportunities;
- (2) The job title and description of each employment opportunity; and
- (3) The basic qualifications necessary for each employment opportunity.

(b) The Contractor and Subcontractors shall interview qualified individuals referred by Referral Resources.

(c) Prior to filling any employment opportunity, the Contractor and Subcontractors shall inform the DAA of the names of the Referral Resources used, the names of the individuals they referred, the names of the referred individuals who the Contractor or Subcontractor interviewed, and the reasons why referred individuals were not hired.

(d) Managerial, supervisory or confidential positions shall not be subject to this Article.

(e) Positions requiring professional licenses to perform the Contract shall not be subject to this Article.

Sec. 7. Section 10.44.8 of the Los Angeles Administrative Code is amended to read as follows:

Sec. 10.44.8. Enforcement.

If the DAA determines that a Contractor has violated this Article, the DAA may recommend that the Awarding Authority take any or all of the following actions:

- (a) Document the determination in the Awarding Authority's Contractor Evaluation required under Los Angeles Administrative Code Section 10.39, et seq.;

(b) Require that the Contractor document the determination in each of the Contractor's subsequent Contractor Responsibility Questionnaires submitted under Los Angeles Administrative Code Section 10.40 et seq.;

(c) Terminate the Contract;

(d) Recommend to the Awarding Authority to withhold payments due to the Contractor.

The Awarding Authority may pursue any rights and remedies available at law or in equity.

Sec. 8. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

HOLLY L. WOLCOTT, City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By *Basia Jankowski*
BASIA JANKOWSKI
Deputy City Attorney

Date 12-11-15

File No. _____