


**REPORT OF THE  
CHIEF LEGISLATIVE ANALYST**

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DATE: April 10, 2018

TO: Honorable Members of the Rules, Elections, Intergovernmental Relations and  
Neighborhoods Committee

FROM: Sharon M. Tso   
Chief Legislative Analyst

Council File No: 18-0002-S19  
Assignment No: 18-02-0140

SUBJECT: Resolution (Martinez-Krekorian) to SUPPORT AB 1870 (Reyes)

CLA RECOMMENDATION: Adopt Resolution (Martinez-Krekorian) to include in the City's 2017-18 State Legislative Program, SUPPORT for AB 1870, which would extend the statute of limitations for housing and employment violations of the California Fair Employment and Housing Act to three years.

SUMMARY

Resolution (Martinez-Krekorian), introduced February 14, 2018, supports AB 1870, which would extend the statute of limitations of the California Fair Employment and Housing Act to three years regarding housing and employment matters. According to the Resolution, the California Fair Employment and Housing Act currently provides protections against discrimination or harassment of employees and should be strengthened because a claimant must allege discrimination within one year of the incident. The Resolution also notes that AB 1870 is a bipartisan bill that is currently sponsored by both Democratic and Republican legislators and has support from groups such as the Consumer Attorneys of California and the California Employment Lawyers Association. Lastly, the Resolution states that AB 1870 is consistent with the City's previous efforts to expand protections for tenants and workers. The Resolution therefore requests that the City support AB 1870.

BACKGROUND

On January 18, 2018, Assemblymember Eloise Reyes (D-San Bernardino) introduced AB 1870, the SHARE Act (Stopping Harassment and Reporting Extension), which is aimed at addressing the issue of harassment in the workplace. The new bill was introduced with support from industry stakeholders and advocates of the "Me Too" movement.

Assemblymember Reyes has stated that proactive steps must be taken to ensure victims are protected and not alone. In addition, victims must never feel intimidated to share their story. The intent of AB 1870 is to allow victims additional time to file a claim with the Department of Fair Employment and Housing. This sentiment was echoed by Laura Friedman, who is the current chair of the Joint Rules Subcommittee on Sexual Harassment Prevention and Response.

Current law allows any aggrieved person to file a verified complaint in writing that states the name and address of the person alleged to have committed the incident. The law also compels any employer or relevant employees to cooperate in an investigation into the alleged incident.

To address the concerns of the various stakeholders, representatives from labor organizations, and victims of unfair labor practices, AB 1870 would extend the period from one to three years for which complaints alleging unlawful employment or housing policies may be filed with the Department of Fair Employment and Housing. There are no other substantive changes to the current law, which allows a claimant to allege discrimination within twelve months of the incident.

Support for the Resolution is consistent with the City's past efforts to combat domestic violence and spousal abuse.

Departments Notified

Commission on the Status of Women

BILL STATUS

1/12/18	Introduced
1/13/18	May be heard in committee February 12
3/22/18	Referred to Committee on Labor and Employment



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Henry Flatt  
Analyst

Attachment: 1. Resolution (Martinez-Krekorian)

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the City of Los Angeles has a longstanding history of supporting workers' and tenants' rights; and

WHEREAS, the California Fair Employment and Housing Act provides protections against discrimination or harassment of employees and tenants and should be strengthened because a claimant must allege discrimination within one year from the date of incident; and


WHEREAS, AB 1870 (Reyes), introduced January 12, 2018, provides additional protections for tenants and employees by extending the statute of limitations for violations of the California Fair Employment and Housing Act to three years regarding housing and employment matters; and

WHEREAS, AB 1870 is a bipartisan bill that is sponsored by both Democratic and Republican legislators and has support from the Consumer Attorneys of California and the California Employment Lawyers Association; and

WHEREAS, expanding protections for tenants and workers is consistent with the City's previous positions on related matters;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2017-2018 State Legislative Program SUPPORT for AB 1870, which extends the statute of limitations for violations of the California Fair Employment and Housing Act to three years regarding housing and employment matters.

PRESENTED BY

  
 NURY MARTINEZ  
 Councilmember, 6th District

SECONDED BY



FEB 14 2018