

**MOTION BY SUPERVISORS MARK RIDLEY-THOMAS AND
HILDA L. SOLIS**

JANUARY 16, 2018

Adopting Enhanced Fair Chance Policies for Los Angeles County

On July 11, 2017, the Board of Supervisors (Board) adopted motions by Supervisors Ridley-Thomas and Solis, instructing the Director of the Department of Human Resources (DHR), the Chief Executive Officer (CEO), the Directors of the Department of Workforce Development, Aging and Community Services (WDACS), the Department of Consumer and Business Affairs (DCBA), and the Office of Diversion and Reentry (ODR), in consultation with County Counsel, to develop a set of recommendations for establishing and enhancing Los Angeles County (County) Fair Chance Ordinance policies and procedures, which would eliminate appropriate restrictions for potential applicants regarding County employment opportunities due solely to criminal conviction and/or adjudication in the juvenile justice system. These policies would also extend to contractors conducting business with County departments and agencies, and employers of all sizes executing business in the unincorporated areas of the County.

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MOTION

SOLIS _____

RIDLEY-THOMAS _____

HAHN _____

BARGER _____

KUEHL _____

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As a result of these motions, several workgroups and focus groups were developed consisting of numerous County departments, targeted stakeholders, as well as small business and business organizations to conduct research and surveys on nationwide best practice standards and innovative fair chance policies/strategies. These bodies were tasked with developing a comprehensive Countywide outreach and education campaign to improve both the pipeline for individuals with barriers to employment and leverage resources to assist businesses to comply with the new laws. This work has concluded with recommendations outlined in DHR's Expanding Fair Chance in Los Angeles County Report (Fair Chance Report) requiring adoption and initiatives to be expanded with current County practices for implementation.

The July 2017 motions also directed that a Fair Chance Review Process be developed for use by County departments before taking an adverse employment action against an applicant who has a prior criminal history; to expand employee training and curriculum to provide workers within the populations of underserved constituents the necessary support to develop workforce skills to be employment-ready; and to develop a process for all relevant departments and agencies to report back to the Board on the implementation of these efforts, which would include the number of workers hired within the targeted populations of underserved constituents, along with projected operational and budget implications and recommendations on establishing a more comprehensive Fair Chance Ordinance for the County.

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WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. Accept the recommendations and strategies contained in the Department of Human Resources (DHR) report entitled Expanding Fair Chance in Los Angeles County (Fair Chance Report) submitted to the Los Angeles County (County) Board of Supervisors (Board) in December 2017. DHR will be required to report back in writing to the Board on a quarterly basis regarding the progress of these efforts until otherwise directed.
2. Instruct the Director of Personnel, in consultation with County Counsel, to be responsible for ensuring that the County's current policies adhere to State law AB 1008, which adds Section 12952, *Employment Discrimination: Conviction History* to the Government Code, and repeals Section 432.9 of the Labor Code, relating to employment discrimination, making it unlawful for employment applications, except in limited instances, to include any question(s) that seek disclosure of an applicant's criminal conviction history, as well as inquire into or consider an applicant's conviction history until after the employer has made a conditional offer of employment.
3. Instruct the Director of the Internal Services Department, in consultation with County Counsel, Director of Personnel, and the Director of the Department of Consumer and Business Affairs, to institute proposed County policies, as referenced in the Fair Chance Report, requiring businesses contracting with the County to comply with fair chance employment practices set forth in California Government Code Section

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12952, requiring all County solicitations and contracts, including renewed and amended contracts, to include standard language requiring contractors and its subcontractors to certify compliance with fair chance employment hiring practices set forth in California Government Code Section 12952.

4. Instruct the Director of Personnel, and the Director of the Office of Diversion and Reentry, in consultation with County Counsel, to explore the feasibility of implementing specified unique Fair Chance Programs that have been instituted in other jurisdictions (e.g. Employer Incentive Initiatives for Fair Chance Hiring and expanding public/private investment in education pipelines starting in prisons/jails and continued after release, for example, Defy Ventures) and to report back to the Board in 60 days with a written report.
5. Direct the Chief Executive Officer (CEO), in collaboration with the Director of Personnel and the Center for Strategic Public-Private Partnerships, to evaluate County and non-governmental funding options to achieve this comprehensive, coordinated and expanded approach to developing Fair Chance policies and initiatives, with a recommended budget and staffing plan for achieving short and long-term objectives. This written evaluation is due back to the Board in 90 days.

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(DJJ)