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May 08, 2018

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

APPROVAL OF NEW BOARD POLICY FAIR CHANCE EMPLOYMENT (ALL DISTRICTS - 3 VOTES)

SUBJECT

Recommendation to approve the Fair Chance Employment Policy that will require businesses that contract with the County to certify compliance with fair chance employment hiring standards through the inclusion of standard language in County contracts.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve the attached Fair Chance Employment Policy (Policy) that will require County contractors and subcontractors, to certify compliance with fair chance employment hiring standards, in accordance with California Government Code Section 12952, Employment Discrimination: Conviction History.
2. Instruct the Director of Internal Services Department (ISD) to issue Fair Chance Employment Policy Implementation Guidelines to all departments within the next thirty (30) days.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recommended Policy is a result of a July 11, 2017 Board motion by Supervisors Ridley-Thomas and Solis directing the Chief Executive Office, with County Counsel, the Office of Diversion & Reentry, Department of Consumer and Business Affairs (DCBA), ISD, Workforce Development, Aging and Community Services, Department of Human Resources (DHR), and any other relevant department, to develop recommendations for establishing fair chance employment standards applicable to businesses contracting with the County.

On December 21, 2017, DHR, in collaboration with the above referenced departments submitted the Expanding Fair Chances in Los Angeles County Report (Report) to your Board with recommendations for establishing Fair Chance policies and procedures.

On January 16, 2018, the Board instructed ISD in consultation with County Counsel, DHR and DCBA to institute the County policies referenced in the Report. The recommended Policy responds to this directive.

On February 21, 2018, the County Audit Committee approved the Policy.

Implementation of Strategic Plan Goals

Board approval of the recommended actions supports the County's Strategic Plan, Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability by establishing standardized language to be included in County contracts and solicitations.

FISCAL IMPACT/FINANCING

No fiscal impact.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The recommended Policy will require that, prospectively, all County solicitations and contracts, including renewed and amended contracts, will include standard language requiring contractors and their subcontractors to certify compliance with fair chance employment hiring practices set forth in California Government Code Section 12952 (Section 12952). The Policy will be effective upon your Board's approval.

ISD will develop Fair Chance Employment Policy Implementation Guidelines to guide County departments through the implementation process.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended Policy will require County contractors and subcontractors to certify compliance with fair chance employment hiring practices set forth in Section 12952.

CONCLUSION

It is requested that the Executive Officer, Board of Supervisors return two stamped copies of the approved Board letter to the Director, ISD.

Respectfully submitted,



SCOTT MINNIX
Director

SM:JS:CC:ct

Enclosures

c: Executive Officer, Board of Supervisors
Chief Executive Officer
Chief Operating Officer
County Counsel



Los Angeles County **BOARD OF SUPERVISORS POLICY MANUAL**

Policy #:	Title:	Effective Date:
5.XXX	Fair Chance Employment	00/00/18

PURPOSE

Requires businesses that contract with the County to provide fair chance employment by complying with California Government Code Section 12952, Employment Discrimination: Conviction History.

REFERENCE

July 11, 2017 Board Motion Establishing a Fair Chance Ordinance for Businesses that Contract with Los Angeles County or Do Business in the Unincorporated Areas

[DATE] Board Letter approving Fair Chance Employment Policy

[DATE], Implementation Guidelines for Fair Chance Employment Policy

“Compliance with Fair Chance Employment Hiring Practices Certification” form

POLICY

All County solicitations and contracts, including renewed and/or amended contracts, shall include standard language that requires contractors and its subcontractors to provide fair chance employment by complying with California Government Code Section 12952, Employment Discrimination: Conviction History. Additionally, existing and prospective County contractors and subcontractors must certify in new, renewed, or amended contracts their compliance with fair chance employment practices.

STANDARD LANGUAGE TO BE INCLUDED IN COUNTY SOLICITATION DOCUMENTS:

Proposer’s Acknowledgement of County’s Commitment to Fair Chance Employment Hiring Practices

On [date], the Los Angeles County Board of Supervisors approved a Fair Chance Employment Policy in an effort to remove job barriers for individuals with criminal records. The policy requires businesses that contract with the County to comply with fair chance

employment hiring practices set forth in California Government Code Section 12952, Employment Discrimination: Conviction History (Section 12952).

Contractors are required to complete Exhibit XX (Compliance with Fair Chance Employment Hiring Practices Certification) in Appendix X (Required Forms), certifying that they are in full compliance with Section 12952, as indicated in Section X.XX (Compliance with Fair Chance Employment Practices) of Appendix X (Sample Contract). Further, contractors are required to comply with the requirements under Section 12952 for the term of any contract awarded pursuant to this solicitation.

STANDARD LANGUAGE TO BE INCLUDED IN COUNTY CONTRACTS:

Compliance with Fair Chance Employment Practices

Contractor shall comply with fair chance employment hiring practices set forth in California Government Code Section 12952, Employment Discrimination: Conviction History. Contractor's violation of this paragraph of the Contract may constitute a material breach of the Contract. In the event of such material breach, County may, in its sole discretion, terminate the Contract.

RESPONSIBLE DEPARTMENT

Internal Services Department
Department of Human Resources
County Counsel
Department of Consumer and Business Affairs

DATE ISSUED/SUNSET DATE

Issue Date: February 8, 2018

Sunset Date: February 21, 2022

REQUIRED FORMS - EXHIBIT XX

COMPLIANCE WITH FAIR CHANCE EMPLOYMENT HIRING PRACTICES CERTIFICATION

Company Name:		
Company Address:		
City:	State:	Zip Code:
Telephone Number:	Email address:	
Solicitation/Contract for _____ Services		

PROPOSER/CONTRACTOR CERTIFICATION

The Los Angeles County Board of Supervisors approved a Fair Chance Employment Policy in an effort to remove job barriers for individuals with criminal records. The policy requires businesses that contract with the County to comply with fair chance employment hiring practices set forth in California Government Code Section 12952, Employment Discrimination: Conviction History (California Government Code Section 12952), effective January 1, 2018.

Proposer/Contractor acknowledges and certifies compliance with fair chance employment hiring practices set forth in California Government Code Section 12952, as indicated in Section 8.56 (Compliance with Fair Chance Employment Practices) of the Contract, and agrees that proposer/contractor and staff performing work under the Contract will be in compliance. Proposer/Contractor further acknowledges that noncompliance with fair chance employment practices set forth in California Government Code Section 12952 may result in rejection of any proposal, or termination of any resultant Contract, at the sole judgment of the County.

I declare under penalty of perjury under the laws of the State of California that the information herein is true and correct and that I am authorized to represent this company.

Print Name:	Title:
Signature:	Date: