


ANALYSIS

This ordinance amends Title 13 – Public Peace, Morals and Welfare, to add Division 13 (Implementation of the Principles of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)) to adopt and locally implement the principles of the CEDAW in order to promote gender equity and address discrimination against women and girls in Los Angeles County.

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WS:bd

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ORDINANCE NO. _____

An ordinance adding Division 13 (Implementation of the Principles of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)) to Title 13 – Public Peace, Morals and Welfare, adopting and implementing the principles underlying the CEDAW to promote gender equity and address discrimination against women and girls in Los Angeles County.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Division 13 is hereby added to read as follows:

Division 13 – IMPLEMENTATION OF THE PRINCIPLES OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

SECTION 2. Chapter 13.120 is hereby added to read as follows:

Chapter 13.120 Implementation of the Principles of The United Nations Convention on the Elimination of All Forms of Discrimination Against Women

13.120.010 Title

13.120.020 Findings and Purpose

13.120.030 Definitions

13.120.040 Local Principles of the CEDAW

13.120.010 Title

This chapter shall be known as the "Implementation of the Principles of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women."

13.120.020 Findings and Purpose

The Board of Supervisors finds and declares:

A. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is an international human rights treaty focused on eliminating discrimination against women and girls and achieving gender equality. The treaty addresses women's rights in economic, social, cultural, civil, and political areas. CEDAW was ratified by over 186 member states of the United Nations (UN). Although President Jimmy Carter signed the CEDAW on July 17, 1980, the United States is one of six UN member states that has not yet ratified the treaty. The County of Los Angeles (County) recognizes that the international adoption and ratification of the CEDAW has significantly advanced gender equity for women and girls around the world, including in the areas of economic development, healthcare, violence against women and girls, and education.

B. A growing number of cities and counties adopted local ordinances and resolutions implementing the principles of the CEDAW, beginning in 1998, when San Francisco enacted the first local CEDAW ordinance, followed by the City of Los Angeles in 2003. To date, nine cities and/or counties adopted CEDAW ordinances, and at least 29 local jurisdictions passed resolutions affirming support for implementing the CEDAW principles in their local governments.

C. The principles espoused in the CEDAW are consistent with the County's commitment to ending inequitable gender outcomes and improving the quality of life for women and girls, including transgender, nonbinary, gender non-conforming and anyone

female-identifying, in the County. The County has led several efforts to ensure that women and girls have equal access and opportunity across the County. From the creation of the County Commission for Women in 1975 and the County Women and Girls Initiative (WGI) in 2016, which are focused on women's issues and gender equity, and the establishment of the Human Relations Commission (HRC) in 1958 and the Anti-Racism, Diversity and Inclusion Initiative (ARDI) in 2020, the Board has taken tangible actions to promote gender equity, including using an intersectional lens to ensure the County creates a foundation of equity as an employer, service provider, and community and business partner.

D. There is a continuing need for the County to protect the human rights of women and girls and to locally implement the principles of the CEDAW. Adoption of the CEDAW principles at the County level will help promote gender equity and address discrimination against women and girls within the County, including in the areas of economic development, education, housing and homelessness, gender-based violence and harassment, health care, justice-impacted women, voting rights, and civic engagement.

E. The CEDAW does not supersede federal, State, or local laws. Instead, it provides a framework and actionable guidance for the County to help promote gender equity and address discrimination against women and girls.

F. As the County's commitment to gender equity continues to progress and expand, now is the time for the County to formally integrate the CEDAW principles into our local law and policy.

13.120.030 Definitions

As used in this chapter, and for the purposes of this ordinance, the following words and phrases shall have the meanings indicated herein:

- A. "County" means the County of Los Angeles.
- B. "BIPOC" means Black, Indigenous, and People of Color.
- C. "Discrimination against women and girls" means any adverse, unequal and/or unfavorable treatment, including gender-based violence, of women and girls based on sex, gender, gender identity, and/or gender expression with regard to economic, social, cultural, civil, political, and legal areas.
- D. "Gender" means the characteristics of women, men, girls, and boys that are socially constructed. This includes norms, behaviors, and roles associated with being a woman, man, girl, or boy, as well as relationships with each other. As a social construct, gender can vary among cultures and can change over time.
- E. "Gender equity" means the redress of discriminatory practices and the establishment of conditions enabling women and girls to achieve full, substantive equality with men, recognizing that needs of women and men may differ, resulting in fair and equitable outcomes for all. "Gender equity" further means the redress of discriminatory practices and establishment of conditions enabling all persons identifying as transgender, nonbinary, and/or gender non-conforming to achieve full equality and equity.

F. "Gender expression" means a person's gender-related appearance or behavior, or the perception of such appearance or behavior, whether or not stereotypically associated with the person's sex assigned at birth.

G. "Gender identity" means each person's internal understanding of their gender, or the perception of a person's gender identity, which may include female, male, a combination of female and male, neither female nor male, a gender different from the person's sex assigned at birth, or transgender.

H. "Intersectional" means the interconnected nature of social categorizations and individual characteristics that overlap as interdependent and compounded systems of discrimination. These categorizations and characteristics include, but are not limited to, gender, gender identity, race, ethnicity, nationality, immigration status, culture, sexual orientation, age, socio-economic status, education, language skills, and disability.

I. "Nonbinary" means persons with gender identities that fall outside of the traditional conceptions of strictly either female or male.

J. "Gender non-conforming" means persons whose behavior or appearance does not conform to prevailing cultural and social expectations about what is appropriate to their gender.

K. "Sex" means the different biological and physiological characteristics of females, males, and intersex persons. Intersex persons have innate sex characteristics, including sex organs, hormones, chromosomes, that do not fit medical and social norms for female or male bodies.

L. "Transgender" means a person whose gender identity differs from the person's sex assigned at birth.

M. "Women" and "women and girls" means all persons who identify or are identified with the gender category of woman or female, whether or not assigned to that category at birth, inclusive of transgender, nonbinary, gender non-conforming and anyone female or femme identifying.

13.120.040 Local Principles of the CEDAW

It is the goal of the County to implement the principles underlying the CEDAW to promote gender equity and address discrimination against women and girls within the County. The CEDAW principles must be integrated in the County's role as an employer, service provider, and community and business partner, and must apply to women and girls of all identities and categories.

A. Economic Development

1. The County must look for ways to improve its commitment to the elimination of discrimination against women and girls in economic opportunities, including:

a. Employment opportunities, including the application of the same criteria for selection in matters of employment and the right to access and receive vocational training for nontraditional jobs;

b. Promotion, job security, and all benefits and conditions of service, regardless of familial, marital or parental status, and where appropriate,

encouraging women to apply to decision-making posts, County revenue-generating posts, and management of commissions and departments;

c. Equal remuneration, including benefits and equal pay with respect to work of equal value;

d. Protection of health and safety in working conditions, including supporting efforts not to purchase sweatshop goods and regular inspection of work premises;

e. Protection from all forms of harassment, retaliation, hostile work environment, and violent acts in workplaces; and

f. The provision of reasonable accommodations for pregnant and lactating persons.

2. The County recognizes that family caregiving responsibilities fall disproportionately on women and girls. The County must encourage and, where possible, support the necessary social services to enable all people to balance work responsibilities with family obligations and participation in public life, in particular, through promoting the establishment and development of an accessible, affordable, and quality network of child and family care services and facilities, flexible work schedules, paid family leave and family-friendly workplace policies. The County must also encourage support for policies and programs that expand access to child/family care, elder care, and home health care services.

3. The County acknowledges the importance of the care industry, which includes child/family care, elder care, and home health care workers. Currently,

many care workers are women, predominantly BIPOC women and immigrants. It must be the goal of the County to look for ways, to the extent of its purview in these areas, for people who work in the care industry to have access to resources that provide economic mobility, including, but not limited to better remuneration, benefits and career pathways, and training and education to enable them to provide quality, safe, and responsive care.

4. The County must promote access to safe and affordable housing and transportation.

5. The County must encourage the use of public education and all other available means to urge financial institutions to facilitate women's access to bank accounts, loans, mortgages, and other forms of financial services.

B. Education

1. It must be a goal of the County to identify ways to support women and girls' access to high quality education.

2. The County must encourage the training of women and girls for nontraditional jobs, including vocational, science and technology training and education.

3. The County must look for ways to facilitate access to training and education for women to re-enter the labor market.

C. Housing and Homelessness

1. The County recognizes the root causes of homelessness and housing insecurity are different for women and girls, and may include factors such as domestic violence, substance abuse, mental health, poverty, and the uneven

distribution of caregiving responsibilities. It must be a goal of the County to support policies and programs that understand the unique housing needs of women and girls.

2. The County must promote access to safe and affordable housing for women and girls, while reducing the barriers to securing permanent and supportive housing.

3. The County must aim to find ways to support prevention and homeless services that are specifically designed to be gender-responsive to the needs of women and girls, including veterans and BIPOC women and girls.

4. It must be a goal of the County to ensure a coordinated delivery system that expedites the process for housing and makes accessible the supportive services women and girls need to stay housed, including: child care, job training and placement, counseling, mentorship, education, substance-abuse treatment, public benefits and health care.

D. Gender-Based Violence and Harassment

1. It must be a goal of the County to take and diligently pursue all appropriate measures to prevent and redress sexual and domestic violence and trafficking of women and girls, including to:

a. Promote enforcement of criminal penalties and civil remedies, when appropriate;

b. Seek and encourage ways for survivors to receive appropriate protective and support services, including, but not limited to, medical, counseling, shelter, rehabilitation, and hotline services;

c. Provide gender-sensitive training for County employees regarding sexual and domestic violence and trafficking of women and girls, as appropriate;

d. Support public education campaigns regarding violence caused by misogyny; hatred of women and girls, and transgender persons; and gender stereotypes.

2. Sex workers, including those that are transgender, are especially vulnerable to violence and hate crimes. It must be a goal of the County to find ways to help sex workers who have been subject to violence and hate crimes and to prevent such acts. Where possible, the County must take measures to ensure that law enforcement diligently investigates violent attacks against sex workers.

3. It must be a goal of the County to find ways for public works projects to include measures, such as adequate lighting and safe placement of restrooms, to protect the public's safety, including the safety of women and girls.

4. It must be a goal of the County to have a safe and harassment-free environment for women and girls, including within the workplace, public spaces, transit services, and when accessing public services in the general community. The County must also look for ways to encourage education of the public on harassment and to ensure justice for those who are harassed.

E. Health Care

1. It must be a goal of the County to take appropriate measures to eliminate discrimination against women and girls with regard to health care, including to

equitably facilitate information about and access to quality health care facilities and services, according to the needs of all communities, regardless of age, race, ethnicity, culture, language, socio-economic status, and/or sexual orientation.

2. The County must aim to find ways for all women and girls, including immigrant women and BIPOC women, to access quality, culturally-sensitive health services in connection with family planning, prenatal care, delivery, and the post-natal period, granting free services where possible, as well as access to adequate nutrition during pregnancy and lactation.

3. The County must aim to deliver health services without implicit bias that impacts perceptions of the needs of women and girls.

F. Justice-Impacted Women

1. It must be a goal of the County to provide assistance and opportunities to women and girls impacted by the criminal justice system.

a. The County must look for ways to facilitate a justice system that is Care First, Jail Last, with gender-responsive and trauma-informed services designed to address issues that women and girls face.

b. The County must look for ways to provide employment opportunities for formerly incarcerated women and remove barriers to gainful employment.

G. Voting Rights and Civic Engagement

1. It must be a goal of the County to educate women and girls about their voting rights and to encourage civic engagement.

2. The County must look for opportunities to encourage voter registration among women.

3. The County must look for ways to encourage civic and political engagement among women, including holding public office, membership in local commissions, boards, or task forces, and participating in community service.

H. Enforcement. In undertaking the enforcement of this ordinance, the County is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation the breach of which creates any liability in money damages to any person who claims that such breach proximately caused injury. This ordinance does not create any private cause of action.

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