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COUNTY OF LOS ANGELES

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Chief Executive Officer

Fesia A. Davenport

"To Enrich Lives Through Effective and Caring Service"

April 01, 2025

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:

**RECOMMENDATION TO AUTHORIZE DEPARTMENT HEADS OF SPECIFIED DEPARTMENTS
TO ENTER INTO AND AMEND CONTRACTS FOR STAFFING REQUIRED TO ADDRESS AN
IMMINENT AND SUBSTANTIAL RISK TO PUBLIC HEALTH AND SAFETY
(ALL DISTRICTS) (3 VOTES)**

SUBJECT

Approval of the recommendations below would authorize the directors of 15 County departments to enter into new contracts or amend existing contracts to secure supplemental personnel and other services necessary to protect the public health, safety, and welfare of County residents in the event of a labor work action or strike. The County is required by applicable law to demonstrate a good-faith effort to attempt to locate replacement workers and, if such workers can be located, contract such workers to provide essential services in order to allow represented workers to participate in work actions and strikes.

IT IS RECOMMENDED THAT THE BOARD:

1. Authorize the Alternate Public Defender, District Attorney, Fire Chief, Chief Medical Examiner, Chief Probation Officer, Public Defender, Sheriff, and the Directors of Aging and Disabilities, Animal Care and Control, Health Services, Internal Services, Mental Health, Parks and Recreation, Public Health, and Public Works, or their designees, to enter into new contracts or amend existing contracts to address imminent and substantial risks to public health and safety, with prior notice to the Chief Executive Officer (CEO) and approval as to form by County Counsel. This includes entering into new or amending existing personnel services contracts to augment existing rates of payment, waive standard contract terms and conditions such as insurance and indemnification, and take any other necessary contracting actions to ensure the continuity of critical services during a work action or strike.

2. Authorize the Director of Health Services, or her designee, to negotiate payment rates that exceed those outlined in Los Angeles County Code Section 2.76.350 – Medical Care, Hospital Care and Public Assistance-Costs to Be Collected by County-Reduced-Cost/No-Cost Plans.

3. Authorize the Director of Health Services, or her designee, to transfer patients to private or other suitable healthcare facilities and reimburse those providers at prevailing or market rates in anticipation of or during any work action.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Given the County of Los Angeles' current fiscal outlook and the anticipated budgetary challenges over the coming year, the ability to reach timely labor agreements with all of the County's labor partners remains uncertain.

Formal negotiations began with various county labor groups in the Fall of 2024, with a number of Memoranda of Understanding (MOUs) expiring on March 31, 2025. Despite ongoing good-faith negotiations, the possibility of a strike remains likely if agreements are not reached. To prepare for the potential strike, the County of Los Angeles (County) must engage in "line pass" negotiations to identify "essential workers" that must remain on the line to protect critical health and safety services. "Line pass" negotiations are currently underway. As part of the line pass process, applicable law requires the County to demonstrate a good-faith effort to locate replacement workers and, if such workers can be located, contract such workers to provide essential services in order to allow represented workers to participate in work actions and strikes.

Moreover, work actions and strikes could seriously jeopardize public health and safety by reducing or eliminating the County's ability to provide critical health and safety net services. There are 15 County departments that provide essential services that will need the authority to contract for such services in the event of a strike. These departments will be required to use replacement workers to provide coverage for striking employees at minimal staffing levels, performing a range of duties, including but not limited to:

- Aging and Disabilities – protecting vulnerable adults who may be at risk of abuse, neglect, or exploitation. These services are essential for safeguarding the health and safety of older and dependent adults through timely investigation of abuse and neglect allegations, risk assessments, coordination of care and support services, and collaboration with law enforcement agencies. Without this service, cases of abuse and neglect will go unreported or unresolved, leaving vulnerable adults in dangerous or life-threatening conditions. Delays in investigating reports of elder abuse could result in prolonged exposure to physical harm, malnutrition, or even death, particularly in cases where the individual is isolated or medically fragile.
- Alternate Public Defender – providing specialized legal representation and advocacy services, including essential work such as preparing legal documents, issuing subpoenas, coordinating witness testimony, and facilitating timely communication between attorneys and clients—often through video conferencing for those in custody. These services are critical to ensuring an effective, holistic defense and upholding constitutional rights. If these services are not provided, it can lead to delays in legal proceedings, inadequate case preparation, and compromised defense strategies. Failure to process legal documents, facilitate attorney-client communication, and issue subpoenas in a timely manner could jeopardize a defendant's right to a fair trial and negatively impact their liberty.

- Animal Care and Control – providing rescue and protective intervention, shelter services, and medical care to vulnerable animals. Essential services include responding to calls regarding loose, stray, injured, aggressive, and dangerous animals and wildlife; intervening to prevent animal cruelty, abuse, and inhumane treatment; as well as feeding and caring for animals in shelters. Failure to provide these services may result in physical harm to the public due to animal bites or attacks and a threat to public health through the transmission of rabies and other diseases.
- District Attorney – providing vital advocacy services to crime victims, offering crisis intervention, emotional support, filing of emergency claims, and resource referrals to help victims navigate the aftermath of crime. These services are crucial to ensuring the safety, well-being, and dignity of crime victims, particularly those who have endured significant trauma. If these services are not provided, it could severely disrupt the justice process, leaving victims without an advocate for critical safety matters, and necessary legal, financial, and emotional support. This failure could exacerbate the risks and hardships associated with crime and trauma, potentially leading to further victimization and undermining the pursuit of justice.
- Fire – providing essential support for firefighting and fire prevention efforts, including through the transportation of heavy equipment, such as bulldozers, to the sites of major emergency incidents, the provision of paramedical services, and performing wildfire recovery work. Failure to provide these services would hamper the department's effectiveness in fire or other significant incidents, like a mudslide; there would be no means of transporting heavy, lifesaving/property-protecting vehicles and equipment to the site of the incident and slower response to medical emergencies, which would significantly increase the potential for injuries and the loss of life and property.
- Health Services – providing comprehensive 24/7 healthcare, including emergency services, urgent care, intensive care, inpatient care, trauma care, and a range of ancillary support services such as pharmacy, laboratory, radiology, therapy, respiratory care, interpreter services, patient access, custodial services, and facilities management. These services are crucial for maintaining patient health and safety, ensuring they receive timely and effective care across a broad range of medical needs. If these services are not provided promptly or effectively, it can lead to an increase in medical errors, longer wait times, reduced quality of care, and death.
- Internal Services – providing hospital-grade sanitation and cleaning for County healthcare clinics, as well as sanitary clean-up of legally displaced homeless encampments. Other essential services include the maintenance and repair of County buildings, fire-life-safety testing and compliance, water quality testing, emergency generator deployment, and reliable mail service delivery, including the timely delivery of medical prescriptions. If these services are not provided or executed properly, there could be significant public health risks. Inadequate cleaning in healthcare clinics may lead to the spread of viral and bacterial infections. Failure to clean homeless encampments could expose individuals to hazardous materials, human waste, or weapons. Delays or disruptions in mail services could have severe consequences for County patients who rely on the timely delivery of medication, potentially exacerbating health conditions.
- Medical Examiner – dispatching staff to death scenes, transporting bodies, conducting examinations, managing the intake and release of property, releasing bodies to families, and notifying next of kin of a death. If these services are not provided, dead bodies may accumulate in both public and private spaces, leading to delayed examinations and decomposition. This can hinder the ability to determine the cause of death, complicate criminal investigations, and delay necessary arrests. Furthermore, the resulting overcrowding of crypts could create serious safety concerns and challenges.

- **Mental Health** – providing support to individuals and communities through prevention, treatment, crisis intervention, and recovery for mental and behavioral health conditions. These services include psychiatric evaluations, suicide prevention efforts, and 24/7 access to mental health crisis hotlines and mobile response teams, all aimed at saving lives and providing immediate help in urgent situations. If these services are not provided, there would be significant delays in critical psychiatric evaluations, weakening efforts to prevent suicides and address mental health crises in real-time. The absence of these services could result in worsened mental health conditions, increased risk of harm, and loss of life in urgent circumstances.
- **Parks & Recreation** – maintaining the safety and security of public parks and green spaces. Essential services include maintaining the cleanliness and proper functioning of restrooms and playground equipment in local, community, and regional parks, as well as ensuring the overall condition of parks and facilities remains in good order. If these services are not provided, significant public health concerns could arise due to unclean or unsanitary restrooms and facilities. Additionally, failure to inspect and maintain playgrounds and equipment could create hazardous conditions, such as the presence of sharp objects like glass or hypodermic needles, posing serious risks of injury to children and others using the park.
- **Probation** – providing services for detained young people and supporting law enforcement services related to in-community supervision. Essential services include providing care, such as food, and regular cleaning and maintenance of facilities to ensure the health and safety of detained youth. If food is not provided, it directly jeopardizes youth's health, while neglecting facility upkeep can lead to the spread of disease and increased risk of injury. Additionally, processing custody paperwork and maintaining communications related to the legal status of individuals in the system are essential. Failure to maintain these processes could result in the over-detention of youth in facilities or delays in addressing community threats, as timely legal decisions and notifications would be hindered, negatively impacting the liberty of detained youth.
- **Public Defender** – ensuring the provision of constitutionally guaranteed representation to criminal defendants. The absence of services that assist in the provision of representation in criminal courts negatively impacts the liberty of people charged with crimes. Without sufficient support staffing, delays in the process of vital legal paperwork could lead to delays in the delivery of due process to individuals in the justice system.
- **Public Health** – investigating, monitoring, and addressing public health threats, such as the spread of communicable diseases. Essential services include providing public notifications, direct observation, and guidance to individuals exposed to diseases to prevent further transmission. Without these services, the public would face a significant risk of the spread of dangerous and preventable diseases. Additionally, a lack of monitoring for emerging disease outbreaks could severely endanger public health. Other essential health interventions, including harm reduction services, child vaccinations, care for the uninsured and underinsured, health consultation for foster youth, and refugee assessments, would be limited, further exacerbating public health risks. Furthermore, the unavailability of state-mandated substance abuse call centers could leave individuals seeking help vulnerable to relapse, self-harm, or even death.
- **Public Works** – managing the County's water resources, sewer lines, potable water lines, and pump stations; maintaining transportation infrastructure, roadways, and traffic signals and devices; providing environmental services, municipal, airport, and construction services; managing wildfire recovery, fire protection, and debris mitigation; and ensuring the delivery of essential services such as road and flood maintenance. These services are vital for protecting the public from both flood risks and contamination of the water supply in compliance with the Flood Control District Code.

Additional essential services include the operation of a specialized call center that responds to water emergencies and shut-off requests. Without the ability to respond to these calls and dispatch professionals to handle water-related crises, such as leaks, floods, and water disruptions, public health and safety would be at risk. Essential services include responding to hazardous material spills, such as sewage, fuel, and other dangerous substances, which may occur due to traffic accidents, fires, and other emergencies. Delays or the inability to respond to these incidents could expose the public to serious threats, including fire, smoke inhalation, poisoning, and other dangerous consequences.

- Sheriff – maintaining humane living standards within the jail system and law enforcement services across the County. Essential services include ensuring that inmates receive adequate food, promptly repairing critical infrastructure like plumbing and boiler facilities, and inputting important criminal justice documents into informational systems. If these services are not provided, the jail environment will become dangerously unsafe, falling below statutorily required living standards, and posing severe risks to the health and safety of both inmates and staff. In addition, vital services that support law enforcement operations, such as processing missing persons reports and handling protective orders, would be delayed or left unaddressed. This failure would leave victims vulnerable to escalating danger, as they would be denied timely legal protections. Furthermore, Sheriff employees provide crucial support and information to Deputies in the field. Without this, Deputies would be unable to perform their duties effectively, severely undermining their ability to protect the community and compromising public safety across the entire County.

Implementation of Strategic Plan Goals

The recommended actions align with the County’s Strategic Plan, specifically:

North Star 1 – Make Investments That Transform Lives by ensuring the continued delivery of critical services to vulnerable populations.

North Star 3 – Realize Tomorrow’s Government Today by enabling the County to respond dynamically to emergent staffing needs.

FISCAL IMPACT/FINANCING

The fiscal impact of these contracts will depend on the duration and extent of the work action. Departments are currently assessing essential services and staffing needs. While the precise cost cannot be determined at this time, departments will cover initial costs within existing budgeted resources. The CEO will collaborate with departments to assess any additional budgetary requirements resulting from a work stoppage and recommend necessary adjustments. Because of the dynamic nature of work actions and strike activity, departments may incur costs to secure the availability of contracted personnel even if work actions or strikes are ultimately avoided.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Status of Labor Negotiations

The County is presently engaged in line pass negotiations in order to attempt to reach a comprehensive agreement that accounts for all “essential employees,” allowing them to continue working during a strike to prevent an imminent or substantial threat to public health or safety. Line

pass negotiations will continue up to and through the start date of any strike.

Obligation to Seek Replacement Staffing

To secure line pass agreements covering “essential employees,” the County must demonstrate attempts to arrange replacement staffing in advance. The objective of the line pass negotiations is to reach a comprehensive agreement that accounts for all “essential employees,” allowing them to continue working during the strike to prevent an imminent or substantial threat to public health or safety. Before the union will agree to grant line passes for “essential employees,” the County must demonstrate that it has arranged or attempted to arrange replacement workers or services to provide coverage for the striking workers.

The County Must Seek Injunctive Relief If a Work Action or Strike Will Jeopardize Health and Safety

A comprehensive line pass process that includes the County contracting out for essential services could resolve concerns about work actions and strikes jeopardizing critical services that protect health and safety. However, the County will have to seek injunctive relief to enjoin essential employees from the work action or strike where such concerns are not resolved. To successfully obtain injunctive relief, the Public Employment Relations Board (PERB) and the courts will first look to see whether the County has attempted to mitigate all such concerns by contracting replacement staff.

Effective January 1, 2025, Assembly Bill 2889 grants PERB exclusive initial jurisdiction under the Meyers-Milias-Brown Act (MMBA) over injunctive relief related to strikes by public employees in Los Angeles County. In the event of a strike, the County must first present its case to PERB before any request for injunctive relief can proceed to Superior Court.

PERB will determine whether a strike involves “essential employees” and whether it poses a substantial and imminent threat to public health and safety. The County must demonstrate that it has exhausted all viable coverage options before PERB will seek injunctive relief. This includes: 1) utilizing supervisors, managers, and non-represented staff, 2) contracting and seeking to contract with outside vendors capable of providing replacement personnel or services, and 3) documenting these efforts, including vendor responses and any resulting contracts. Absent sufficient evidence of these efforts, PERB will not pursue injunctive relief on the County’s behalf. PERB will determine that the County has not discharged its duty to provide coverage for the striking worker and will not seek injunctive relief on the County’s behalf.

Additionally, to mitigate the adverse impacts of a work action, the County must identify and secure additional resources to maintain essential services. The 15 identified departments provide critical safety net services to vulnerable populations, including emergency medical care, mental health services, child welfare, and public safety. Allowing these departments to enter into or amend contracts for supplemental personnel will help sustain vital services and minimize disruptions.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended actions will help maintain the continuity of critical services during any work action, thereby safeguarding the health, safety, and well-being of County residents.

The Honorable Board of Supervisors

4/1/2025

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Fesia A. Davenport', written in a cursive style.

FESIA A. DAVENPORT

Chief Executive Officer

FAD:JMN:KLW

JH:rfm

- c: Executive Office, Board of Supervisors
- County Counsel
- District Attorney
- Sheriff
- Aging and Disabilities
- Alternate Public Defender
- Animal Care and Control
- Fire
- Health Services
- Internal Services
- Medical Examiner
- Mental Health
- Parks and Recreation
- Probation
- Public Defender
- Public Health
- Public Works