



LOS ANGELES COUNTY  
**CONSUMER & BUSINESS AFFAIRS**

Board of Supervisors

November 4, 2025

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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:

Director  
Rafael Carbajal

**RECOMMENDATION TO APPROVE THE RULES AND REGULATIONS  
RELATING TO THE FAIR CHANCE ORDINANCE FOR EMPLOYERS  
(3 VOTES – ALL DISTRICTS)**

Chief Deputy  
Joel Ayala

**SUBJECT**

Approve Rules and Regulations relating to Chapter 8.300 – Fair Chance Ordinance for Employers.

**IT IS RECOMMENDED THAT YOUR BOARD:**

Approve the attached proposed Rules and Regulations relating to the administrative enforcement process for the Fair Chance Ordinance for Employers (FCOE), to be effective as of the date of adoption.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Consistent with your Board’s directives and in accordance with Section 8.300.100(G) of the FCOE, the Department of Consumer and Business Affairs (DCBA or Department) recommends your Board adopt the attached proposed Rules and Regulations governing the administrative process for complaint filings, investigation, enforcement, and appeals under the Ordinance.

**IMPLEMENTATION OF STRATEGIC PLAN GOALS**

These recommended actions support the County’s Strategic Plan North Star 1 – Make Investments that Transform Lives, Focus Area – Employment and Sustainable Wages.



### **FISCAL IMPACT/FINANCING**

The adoption of these proposed Rules and Regulations will have no net County cost impact on the General Fund.

### **FACTS AND PROVISIONAL/LEGAL REQUIREMENTS**

To ensure a fair, transparent and effective enforcement process and in accordance with Section 8.300.100(G) of the FCOE, DCBA has established proposed Rules and Regulations setting forth the administrative process for complaint filings, investigation, enforcement, and appeals under the Ordinance. The proposed Rules and Regulations are outlined as follows:

1. **Acknowledgment of Complaint** – Procedures for providing the applicant or employee with notice acknowledging receipt of the complaint.
2. **Option to Forgo Investigation** - Procedures for informing the applicant or employee of their right to decline a DCBA investigation and instead pursue a civil action independently.
3. **Notice to Employer** – Procedures for issuing a formal notice to the employer regarding the alleged violation of the FCOE.
4. **Employer Response Opportunity** – Procedures ensuring that the employer has a fair opportunity to respond to the notice of alleged violation and complaint, including a specified time frame for submission of relevant information or documentation.
5. **Investigation** – Procedures for investigating complaints, including interviews, inspections and the issuance of subpoenas.
6. **Determination and Notification** - Procedures for notifying both parties (the applicant or employee and employer) of the DCBA's determination, along with supporting documentation.
7. **Settlement Procedures** – Procedures for entering into settlement agreements with employers when settlement is in the best interests of the County and affected applicants and employees.
8. **Right to Appeal** – Procedures for providing both the employer and the applicant or employee with the opportunity to appeal the DCBA's determination before a neutral hearing officer, including timelines and instructions for filing an appeal.

The proposed Rules and Regulations will allow DCBA to deliver clear and concise administrative and enforcement guidance and information to the public, businesses and workers, and will promote compliance and help prevent unfair practices by employers.

**IMPACT ON CURRENT SERVICES**

The adoption of DCBA's proposed Rules and Regulations will have no impact on current services or projects and will better facilitate the County's ability to implement the Ordinance.

**CONCLUSION**

DCBA requests that the Executive Officer, upon approval by the Board, return one adopted-stamped copy of this letter to the Director of DCBA.

Respectfully Submitted,



Rafael Carbajal  
Director

RC:JA:RB

Attachment

c: Executive Office, Board of Supervisors  
Chief Executive Office  
County Counsel

# **RULES AND REGULATIONS FOR THE COUNTY OF LOS ANGELES FAIR CHANCE ORDINANCE FOR EMPLOYERS**

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### **Rule 1.0. Purpose and Construction of Rules.**

The Board of Supervisors of the County of Los Angeles (“County”) designated the Department of Consumer and Business Affairs (“DCBA”) as the County department responsible for enforcement of Los Angeles County Code (“County Code”) Chapter 8.300, known as the Los Angeles County Fair Chance Ordinance for Employers (“FCOE”) in the unincorporated areas of the County. Pursuant to Section 8.300.100 of the County Code, the DCBA is responsible for establishing rules and regulations (the “Rules and Regulations”) to govern the administrative process for the filing of a complaint, investigation, enforcement, and appeals under the FCOE.

These Rules and Regulations shall be liberally construed to permit the DCBA to accomplish all administrative duties to implement the FCOE, including, but not limited to, establishing the process for the filing of a complaint, investigating whether a violation has occurred, enforcing FCOE requirements, and administering appeals. These Rules and Regulations are intended to implement and clarify the requirements contained in the FCOE, and do not supersede or amend any of its provisions.

### **Rule 2.0. Definitions.**

For purposes of these Rules and Regulations, the definitions set forth in [County Code Section 8.300.040](#) are incorporated herein by reference. In addition, the following definitions shall apply in these Rules and Regulations:

2.1 **“Complainant”** means any Applicant or Employee who files an administrative complaint with the DCBA alleging a violation of the FCOE against an Employer.

2.2 **“Fair Chance Ordinance for Employers”** or **“FCOE”** means Los Angeles County Code Chapter 8.300.

2.3 **“FCOE Rules and Regulations”, “Rule”, or “Rules and Regulations”** means the rules and regulations promulgated pursuant to the rulemaking authority granted to the DCBA by the Board of Supervisors pursuant to County Code Section 8.300.100 (G).

2.4 **"Findings and Determination"** means the written decision containing findings, determination, orders and any applicable supporting documentation issued by the DCBA following a completed investigation of an administrative complaint filed with the DCBA of an alleged FCOE violation.

2.5 **"Hearing Officer Decision"** means the written decision of a hearing officer assigned to the appeal of the DCBA Findings and Determination that is issued following consideration of all evidence and testimony submitted at the administrative hearing.

2.6 **"Request for Administrative Appeal Hearing"** means the DCBA issued form that is filed by any Employer or Complainant wishing to appeal the DCBA Findings and Determination by requesting an administrative hearing before a hearing officer. The Request for Administrative Appeal Hearing must be filed within ten (10) calendar days of service of the Findings and Determination.

### **Rule 3.0. Employee Status.**

- A. Occasional/Intermittent Work. For purposes of the FCOE, an Employee is a person that performs at least two (2) hours of work on average each week in the unincorporated areas of the County. The average number of hours worked each week in the unincorporated areas of the County shall be determined based on the average number of hours worked per week while physically located in the unincorporated areas of the County, including work performed by telecommuting, during the twenty-six (26) weeks immediately preceding the date the Employee filed the FCOE complaint with the DCBA.
- B. Current Employees. For the purposes of the FCOE, any Adverse Action taken by an Employer against an Employee who is currently employed by an Employer due to Criminal History, including but not limited to reassignment, failure to promote, discipline, lay-off and/or termination, may constitute a violation of the FCOE.

### **Rule 4.0. Complaint Filing Procedures.**

- A. Filing an FCOE Complaint with the DCBA.
  - 1. A person alleging a violation of the FCOE against an Employer may file a complaint with the DCBA within one (1) year of the alleged violation via any of the following methods:

Phone: (800) 593-8222

Website: [workers.lacounty.gov](http://workers.lacounty.gov)

Email: [fairchance@dcbalacounty.gov](mailto:fairchance@dcbalacounty.gov)

In Person: Department of Consumer and Business Affairs  
320 W. Temple Street, Room G-10  
Los Angeles, CA 90012.

2. The complaint should state sufficient facts to support the alleged FCOE violation, including, but not limited to, the name of the Employer, a description of events, relevant dates, locations or addresses, and identification of involved persons, witnesses or entities.
3. Upon receipt of a complaint alleging a violation of the FCOE, the DCBA will provide the Complainant with a confirmation of receipt that the DCBA has received the FCOE complaint.

B. Filing a Civil Action under the FCOE.

1. A person may bring a civil action in a court of competent jurisdiction against an Employer for a violation of the FCOE provided that they first report the alleged violation to the DCBA, as follows:
  - a. If the individual has not filed an FCOE complaint with the DCBA, they may proceed with a civil action after filing an [intent-to-sue notice](#) with the DCBA, via one of the following methods:  
Email: [fairchance@dcba.lacounty.gov](mailto:fairchance@dcba.lacounty.gov)  
In Person or by Mail:  
Department of Consumer and Business Affairs  
320 W. Temple Street, Room G-10  
Los Angeles, CA 90012
  - b. If the individual has already filed a complaint with the DCBA for a violation of the FCOE, a civil action can be filed after the administrative enforcement process has been completed or a Hearing Officer Decision has been rendered, whichever is later.
2. The civil action must be filed within one (1) year of the date of the intent-to-sue notice or one (1) year from the later of the completion of the DCBA's enforcement process or the issuance of the Hearing Officer Decision.

**Rule 5.0. Complaint Investigation**

A. Complaint Investigation.

1. Written Notice to Employer. Upon receipt of a complaint alleging a violation of the FCOE, the DCBA will notify the Employer of the alleged FCOE violation and provide the Employer with the opportunity to submit a written response to the notice and complaint within twenty (20) calendar days of the notification by the DCBA. The DCBA may extend the time period in which an Employer may submit a written response beyond twenty (20) calendar days at its discretion.

2. Workplace Access, Interviews, Records and Subpoenas. As part of the administrative investigation regarding an alleged FCOE violation, the DCBA shall have access to all workplaces subject to the FCOE to inspect books and records, may request interviews of the parties and any relevant witnesses, and may also request relevant documentation. The DCBA is also authorized to issue subpoenas for documents and to conduct examinations of persons as witnesses.

#### **Rule 6.0. Findings and Determination.**

After conducting a full and complete investigation of the FCOE complaint, the DCBA shall issue its Findings and Determination, as set forth in Section 8.300.100 (F), in a written decision that will be provided to both parties. If DCBA determines that violation of the FCOE has occurred, the DCBA shall include in the Findings and Determination any order for appropriate relief, including but not limited to, imposition of fines, penalties and/or an order to cure the violation.

#### **Rule 7.0. Settlement Procedures.**

- A. Settlement Authority. In accordance with Section 8.300.100 (J), the DCBA is authorized to negotiate and approve settlements with Employers where the DCBA determines settlement is in the best interest of the County and affected Applicants and Employees.
- B. Settlement Terms. Settlement agreements must be in writing and signed by the Director of the DCBA or an authorized designee and the Employer. As part of the settlement, the DCBA may waive any penalties or fines owed to the County imposed under the FCOE, in whole or in part, if the violation was not willful or the DCBA determines that enforcement of the additional fines would not further the purposes of the FCOE.

#### **Rule 8.0. Appeal and Hearing Procedures.**

- A. Appeal of DCBA Findings and Determination.
  1. Appeal of Findings and Determination. Any Employer or Complainant has the right to appeal the Findings and Determination in an administrative hearing before a neutral hearing officer by submitting a Request for Administrative Appeal Hearing within ten (10) calendar days of service of the Findings and Determination. The Request for Administrative Appeal Hearing may be obtained by the Employer or Complainant by emailing [wagehearinghelp@dcbalacounty.gov](mailto:wagehearinghelp@dcbalacounty.gov).
  2. Effect of Non-Appeal of Findings and Determination. The failure to appeal the Findings and Determination shall serve as a complete defense for failure to exhaust administrative remedies with regard to any petition, action or claim brought by the Employer against the County regarding the DCBA's determination of an FCOE violation.

3. Hearing Rules and Procedures. The administrative appeal hearing will be scheduled and conducted in accordance with the rules and procedures of the Office of County Hearing Officer, or alternatively, in accordance with any other permissible rules and procedures for County administrative appeal hearings. The parties to the administrative appeal hearing will be timely notified of all relevant rules and procedures for the administrative appeal hearing.
4. Appeal of Hearing Officer Decision. The Hearing Officer Decision shall constitute the County's final decision, and any review of that decision shall be made by the filing of: 1) an appeal regarding the imposition of any penalties under the FCOE pursuant to section 53069.4 of the Government Code; and/or 2) a petition for writ of mandate under section 1094.5 of the Code of Civil Procedure, in the Superior Court of the County of Los Angeles.

**Rule 9.0. Outreach and Education.**

- A. Education, Training and Awareness. The DCBA shall conduct and promote public information and outreach campaigns, and in performing such activities the DCBA shall seek to coordinate with appropriate stakeholders, such as other government agencies, worker advocacy groups, business associations, and community organizations, to assist in the education and training related to the FCOE, including:
  1. Designing and distributing educational materials that inform Employers about their obligations under the FCOE and inform Applicants and Employees about their rights under the FCOE.
  2. Developing resources, including an FAQ and other updated guidance posted on the DCBA website, to heighten awareness of the FCOE among Employers, Applicants, and Employees as well as to assist Employers in complying with the FCOE.