



**PUBLIC REQUEST TO ADDRESS
THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, CALIFORNIA**

Correspondence Received

MEMBERS OF THE BOARD

HILDA L. SOLIS
HOLLY J. MITCHELL
LINDSEY P. HORVATH
JANICE HAHN
KATHRYN BARGER

			The following individuals submitted comments on agenda item:	
Agenda #	Relate To	Position	Name	Comments
38.		Other	Mikayla I Gibson	Proposing amendments. See attached letter.
		Item Total	1	
Grand Total			1	



November 17, 2025

The Honorable Board of Supervisors
Los Angeles County
500 West Temple Street
Los Angeles, CA 90012

SUBJECT: Fair Chance Ordinance for Employers – Requested Amendments

Dear Los Angeles County Board of Supervisors,

The Valley Industry and Commerce Association (VICA) is writing to provide proposed amendments to the draft Rules and Regulations for the Fair Chance Ordinance for Employers (FCOE). Our members support the County's goal of expanding fair chance hiring, but several provisions in the draft rules would create operational, legal, and administrative challenges that could undermine implementation for applicants, employees, and employers across the region. We respectfully request targeted revisions to ensure the Ordinance functions as intended.

First, the draft definition of "applicant" under Rule 3.0 is overly broad. Allowing "other documents for employment" to trigger applicant status creates significant ambiguity and may inadvertently cover informal communications—such as short emails expressing interest—that were never intended to begin an application process. Narrowing the definition to individuals who submit a formal application would provide clarity and prevent inconsistent application of the Ordinance.

Second, VICA recommends requiring applicants and employees to exhaust administrative remedies before pursuing civil action. Without this requirement, individuals may withdraw complaints immediately to obtain an intent-to-sue notice, sidestepping the administrative investigative process entirely. Ensuring that complainants complete the investigation and review process will promote timely resolution, reduce unnecessary litigation, and support consistent enforcement.

Third, we urge the Board to clarify that reassignment of a current employee is not an adverse action when justified by legitimate, non-discriminatory business reasons. If new criminal conduct arises that affects public safety or operational risk, employers must retain flexibility to move an employee into a safer or more appropriate role. This is essential for protecting employees, customers, and the public.

Additional procedural adjustments would also strengthen implementation. Shortening the time to file a complaint to three to six months ensures investigations occur while facts are still clear. Extending the employer response period to thirty days allows time to gather accurate records. Authorizing DCBA to dismiss complaints that fail to state a viable claim before launching an investigation would conserve resources. Providing an opportunity for mediation prior to investigation could further increase early resolutions.

VICA also recommends modifying the right-of-entry provision for workplace inspections. A targeted right to request relevant records, rather than automatic physical access, would safeguard privacy and proprietary information while enabling effective enforcement.

Finally, increased transparency around the types of non-monetary relief DCBA may order, a thirty-day appeal window, the ability for employers to review or reject hearing officers, and expanded settlement options would create a more balanced and predictable enforcement framework for all parties.



These focused amendments preserve the County's intent to expand fair chance opportunities while establishing a clearer, more workable structure for employers, employees, and applicants. For these reasons, VICA urges your support of the recommended revisions to the FCOE Rules and Regulations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stuart Waldman', is written below the word 'Sincerely,'.

Stuart Waldman
VICA President