

ECONOMIC DEVELOPMENT AND JOBS COMMITTEE REPORT relative to amending the Los Angeles Municipal Code (LAMC) to provide fair work week employment standards for workers of retail employers and implementing enforcement measures for the new fair work week employment standards.

Recommendations for Council action:

1. APPROVE the recommendations contained in the March 29, 2022 Bureau of Contract Administration (BCA) report.
2. REQUEST the City Attorney to amend the draft Ordinance dated February 7, 2022 in accordance with the BCA report as well as including the following:
 - a. Add an effective date of April 1, 2023.
 - b. Remove language around “self-schedulers” in the Ordinance.
 - c. Add language that gives employers the “right to cure” similar to the language found in the City’s Right of Recall Ordinance.
 - d. Add language to clarify that electronic communication is considered a form of “written” notice.
 - e. Strike the language "or unanticipated customer need" from LAAC Section 185.06.B.2.
3. INSTRUCT the BCA to:
 - a. Add language to the rules and regulations to reflect Recommendation 2b.
 - b. Report in regard to staffing and funding necessary to implement the Fair Work Week policy.

Fiscal Impact Statement: None submitted by the BCA. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: Yes

For:

Arroyo Seco Neighborhood Council
Canoga Park Neighborhood Council
Empowerment Congress North Area NDC
Greater Wilshire Neighborhood Council
NoHo Neighborhood Council
Northwest San Pedro Neighborhood Council
Pico Union Neighborhood Council

Rampart Village Neighborhood Council
Tarzana Neighborhood Council
United Neighborhoods Neighborhood Council
Westside Neighborhood Council

Summary:

On February 8, 2022, your Committee considered February 7, 2022 City Attorney report and Ordinance relative to amending the LAMC to provide fair work week employment standards for workers of retail employers and implementing enforcement measures for the new fair work week employment standards. According to the City Attorney, pursuant to Council's request on October 30, 2019, it has prepared and now transmits for your consideration a draft Ordinance, approved as to form and legality. The draft ordinance adds Article 5 to Chapter XVIII of the LAMC to implement the new fair work week employment standards for workers of retail employers. The draft ordinance also amends Article 8 of the Code to authorize the Office of Wage Standards to enforce the rights and benefits provided by the Fair Work Week Ordinance. After consideration and having provided an opportunity for public comment, the Committee moved to continue the matter pending receipt of further information from the BCA.

Subsequently, on May 24, 2022, the Committee reconsidered the above Ordinance, along with a March 29, 2022 BCA report. In its report, the BCA, in partnership with the City Attorney, has compiled further information and recommendations related to franchises, integrated enterprises, and other topics for the Los Angeles Fair Work Week law. Also, as part of its analysis, the BCA surveyed six other municipalities to see how they handle the matter of "integrated enterprises" and this analysis is included in its report. After consideration and having provided an opportunity for public comment, the Committee moved to recommend requesting the City Attorney to revise the draft Ordinance per the BCA's recommendations contained in the March 29, 2022 BCA report as well as further amendments that were made in Committee and detailed in the above recommendations. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

Economic Development and Jobs Committee

COUNCILMEMBER	VOTE
PRICE:	YES
KREKORIAN:	YES
BLUMENFIELD:	YES
RAMAN:	ABSENT
HARRIS-DAWSON:	YES

COUNCILMEMBER VOTE

ARL

5/24/22

-NOT OFFICIAL UNTIL COUNCIL ACTS-