

Communication from Public

Name:

Date Submitted: 06/23/2026 12:57 PM

Council File No: 23-0932

Comments for Public Posting: The attached materials include an opposition letter from business organizations throughout the City of Los Angeles



Los Angeles City Council
 200 N. Spring Street
 Los Angeles, CA 90012

Subject: OPPOSE - CLA Report Recommendations on Enforcement of Workplace Violations – CF: 23-0932

Dear Council President and Members of the Los Angeles City Council:

On behalf of the greater Los Angeles business community—including organizations representing employers across retail, restaurants, health care, hospitality, construction, real estate and other key industries—we strongly oppose the recommendations outlined in the Chief Legislative Analyst’s report on Enforcement of Workplace Violations.

These recommendations would impose damaging consequences on every employer in Los Angeles—from major industries to the city’s thousands of small and minority-owned businesses that are already fighting to survive. Worse, the report was developed without any consultation with the business community. This irresponsible exclusion has produced recommendations that are unfair, discriminatory and disconnected from the realities employers and workers face.

To be clear, employers are firmly committed to protecting workers’ rights and complying with employment laws. Safe, fair workplaces are the foundation of strong businesses, thriving communities and opportunity for employees. These proposals, however, would do nothing to strengthen compliance or improve worker protections. Instead, they would outsource City enforcement to third-party advocacy groups—granting them sweeping powers to target industries based on accusations, not facts—while stripping away due process, jeopardizing employee privacy and eliminating impartiality. Specifically, the proposals would:

- **Undermine Employee Privacy:** The proposed “co-enforcement” model would deputize outside advocacy groups, potentially exposing sensitive employee data—including immigration status—at a time when fears around enforcement are already heightened. **Employees have a fundamental right to protect their personal information from unwanted and unwarranted government and third-party intrusion.** The CLA’s own report concedes that the government “cannot share records with external entities” yet provides no plan to mitigate these risks or explain how non-governmental organizations could enforce city or state laws without violating information-sharing restrictions, undermining employee and employer privacy.
- **Erode Due Process:** The report wrongly equates investigations with violations, labeling industries as “high risk” based on unproven allegations. It recommends costly enforcement sweeps and harsher penalties—targeting employers based on accusations alone—undermining due process. **Handing enforcement power to advocacy groups with vested interests further undermines impartiality, turning enforcement into an agenda-driven process instead of a fact-based one.**

Further, the report’s push for “regulation by shaming” through a public database of resolved violations is misguided. Many workplace cases involve fact-specific, good faith disputes—such as conflicting records over reimbursements or meal breaks—not malicious wage theft. Yet the proposal would lump these employers onto the same public list as bad actors, unfairly stigmatizing businesses and pressuring them into premature settlements to avoid reputational harm. It also hands trial attorneys a “shopping list” for lawsuits, inviting frivolous claims and higher penalties. Rather than improving compliance, this approach undermines due process and disproportionately harms small and minority-owned businesses.

- **Waste Scarce City Resources on Duplicative Programs:** California already has the strongest worker protections in the nation, enforced by multiple state and county agencies. The CLA’s recommendations duplicate this work at enormous cost—**\$3 million over nine months and \$30 million over ten years**—while offering no added benefit to workers. With City deficits mounting and essential services on the chopping block, pouring scarce resources into redundant programs is fiscally reckless.

These sweeping changes would raise costs, threaten jobs, and make Los Angeles even less affordable for families and businesses. Employers deserve a seat at the table before policies of this magnitude are considered.

We urge the Council to **reject these recommendations outright** and instead engage in meaningful dialogue with the business community to develop fair, effective, and fiscally responsible solutions.

Sincerely,

Stuart Waldman, President
Valley Industry & Commerce Association

Sean Piazza, Chair
California Alliance of Family Owned Businesses

Nella McOsker, President & CEO
Central City Association of Los Angeles

Ashley Hoffman, Senior Policy Advocate
California Chamber of Commerce

Matthew Sutton, Senior Vice President
California Restaurant Association

Carlos A. Singer, SVP & Chief Policy Officer
Los Angeles Area Chamber of Commerce

Salena Pryor, President
Black Small Business Association of California

Julian Cañete, President & CEO
California Hispanic Chamber of Commerce

Olivia E Rios, Director of Operations & Programs
Los Angeles Latino Chamber of Commerce

Angela Gibson-Shaw, President & CEO
Greater Los Angeles African American Chamber of Commerce (GLAAACC)

Lynn S. Mohrfeld, President & CEO
California Hotel & Lodging Association

Glenn Spencer, Senior Vice President
U.S. Chamber of Commerce

Bob Smith, Executive Director
Greater Los Angeles New Car Dealers Association

Alessandra Manasco, Senior Director Government Affairs
California Fuels + Convenience Alliance

Marilou Halvorsen, Senior Vice President, State and Local
Government Affairs and Industry Relations
American Hotel & Lodging Association

Brooke Armour Spiegel, Executive Vice President
California Business Roundtable

Lily Rocha, President
Latino Food Industry Association

Nick Chiappe, Director of Government and Regulatory Affairs
California Trucking Association

Tricia La Belle, President
Greater Los Angeles Hospitality Association

William Wei, President
Career Taiwan USA

Steve Nissen, President & CEO
Hollywood Chamber of Commerce

Tracy Hernandez, Founding CEO
Los Angeles County Business Federation

Jeremy Harris, President & CEO
Long Beach Area Chamber of Commerce

Rachel Michelin, President & CEO
California Retailers Association

Robert Rivinius, Governmental Affairs Director
Family Business Association of California

Jackie Filla, President & CEO
Hotel Association of Los Angeles

Karin Wallerstein, CEO
Venice Chamber of Commerce

Roberto C. Arnold, Chairman & Founder
Multicultural Business Alliance

Lily Rocha, CEO
Latino Restaurant Association

Matthew Hargrove, President & CEO
California Business Properties Association

Paul Little, President & CEO
Pasadena Chamber of Commerce

Elise Swanson, President & CEO
San Pedro Chamber of Commerce

Mark Wilbur, President & CEO
Employers Group

Daniel Conway, Vice President, Government Relations
California Grocers Association

Communication from Public

Name:

Date Submitted: 06/23/2026 12:58 PM

Council File No: 23-0932

Comments for Public Posting: Letter raising concerns regarding the proposed expansion of subpoena authority.

June 23, 2026

TO: Interested Parties

FROM: Kurt R. Oneto

RE: Charter Limitations on Expanding Subpoena Authority to the BCA Director

I write on behalf of Protect LA Restaurants (“PLR”), a coalition of restaurant operators and employers in the City of Los Angeles, regarding the recommendations found in the Chief Legislative Analyst’s July 24, 2025 report on Enforcement of Workplace Violations, specifically those found in the “Subpoena Process Revision” section (at pp. 10).

PLR members support robust enforcement of legitimate workplace violations. However, we write to respectfully raise significant legal concerns regarding the proposal to grant independent subpoena authority to the Director of BCA through amendment to the Los Angeles Municipal Code. As outlined below, there are substantial and credible arguments that such a proposal would conflict with the Los Angeles City Charter and therefore cannot be implemented by ordinance. Rather, any such expansion of subpoena authority should be pursued, if at all, through a voter-approved charter amendment.

At its core, this proposal raises fundamental structural issues regarding the allocation of governmental power under the Charter—issues that go well beyond a routine policy change.

- **The Charter Strictly Limits the Allocation of Subpoena Power**

The City Charter functions as the City’s governing framework and places meaningful limits on municipal authority. The Charter expressly identifies a limited set of officials who may exercise subpoena power, including certain elected officers and specified boards (*see* L.A. City Charter §§ 217(b), 271(f)). The BCA Director is not among them.

Sacramento1415 L Street, Suite 1200
Sacramento, CA 95814

T: 916.446.6752 F: 916.446.6106

The narrow and deliberate nature of this allocation strongly suggests that subpoena authority is not intended to be expanded through ordinary legislation. Extending that power to additional officials by ordinance would alter the Charter's structure and invite legal challenge.

- **The Proposal Conflicts with Charter Restrictions on Transfer and Duplication of Powers**

The Charter permits the City to create new offices and assign duties by ordinance, but it also draws a clear line: duties assigned to new or different officers may not duplicate or intrude upon powers vested in Charter-designated officials, particularly elected ones (*see* L.A. City Charter §§ 201, 214).

In addition, Charter § 514 governs the transfer of powers and duties between City offices and limits the City's ability to reallocate such authority, particularly where elected officials are concerned (*see* L.A. City Charter § 514(b)).

Granting subpoena authority to the BCA Director would necessarily duplicate and overlap with powers already assigned under the Charter and would force a sharing or dilution of authority vested in existing elected offices.

- **The Proposal Directly Conflicts with the City Attorney's Authority**

In November 2024, the electorate approved Measure HH, which amended Charter § 271(f) to empower the City Attorney to use subpoenas to investigate violations of state and local law, including workplace and labor violations.

The current proposal would grant the BCA Director the same authority for the same purposes, resulting in a subordinate, unelected official exercising powers assigned to an elected official under Charter § 271(f), as amended by Measure HH—thereby undermining the allocation of authority approved by voters.

- **The City's Own Practice Confirms a Charter Amendment Is Required**

When the City expanded subpoena authority to the City Attorney, it did so through Measure HH (Nov. 2024), a charter amendment approved by voters and not by ordinance.

It would be inconsistent to now assert that subpoena power may be extended by ordinance to a departmental director when that same power required a charter amendment for the City Attorney under Charter § 271(f).

- **Structural Concerns**

Allowing the City to confer Charter-level powers on new officials through ordinance would create a loophole enabling reallocation of foundational powers without voter approval, effectively circumventing the limitations set forth in Charter §§ 201 and 514 and undermining the Charter's role as the City's governing framework.

- **Additional Concerns Regarding Overlapping Authority**

The City Attorney already possesses extensive authority, both under Charter § 271(f), as amended by Measure HH, and under state law, to investigate and enforce workplace-related violations, including through the use of subpoenas.

In particular, AB 2766 (2022) grants the Los Angeles City Attorney subpoena authority in connection with enforcement of the Unfair Competition Law (Bus. & Prof. Code § 17200 et seq.), which encompasses workplace violations.

Granting parallel authority to the BCA Director risks further overlap, duplication, and fragmentation of enforcement authority.

- **Conclusion**

For these reasons, there are substantial and credible legal arguments that the proposed grant of subpoena power to the BCA Director:

- Conflicts with the Charter's express allocation of authority under L.A. City Charter §§ 217(b) and 271(f);

- Violates Charter §§ 201, 214, and 514 by duplicating or encroaching upon powers held by elected officials;

- Undermines voter-approved authority granted to the City Attorney under Measure HH (Nov. 2024); and

- Cannot be lawfully implemented by ordinance rather than through a charter amendment.

These concerns raise serious doubts about whether the proposed subpoena power expansion would withstand judicial review and should be resolved before the City advances an ordinance.
