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Expanding and Centralizing Worker Protections in Los Angeles County

The economic challenges brought on by the COVID-19 pandemic have demonstrated that there is a need to examine the role the County can play in improving outcomes for workers and strengthening worker protections, especially for its most vulnerable and at-risk workers in industries where workplace related violations are known to commonly occur. The ongoing health emergency has forced essential and other vulnerable workers in the region, who are disproportionately Black and Latinx, to take on multiple jobs and/or risk their health in order to maintain economic stability. The mounting pressures on workers and the rapidly changing attitudes on work during the pandemic have led to the aptly named “Great Resignation” that has seen 4.3 million Americans quit their jobs in August 2021, as reported by the Bureau of Labor Statistics. The ongoing pandemic has had a particularly disproportionate economic impact on women workers due to school closures, lack of affordable childcare, and lack of paid parental leave, which has contributed to the “Great Resignation” and triggered the world’s first “she-cession.” In the long term, this puts Los Angeles County’s economic

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recovery at great risk as low-wage and other vulnerable workers leave the regional market.

According to the latest data from the California Employment Development Department, as of September 2021, the unemployment rate in Los Angeles County stood at 8.2 percent, 2.2 percentage points higher than the state rate of 6.4 percent. The increased scarcity of stable jobs, paired with the ongoing COVID-19 health emergency, create conditions that can invite labor law and County Health Officer Order (HOO) violations, which the County needs to mitigate in order to create healthier work environments and drive economic recovery in the region.

Various large jurisdictions across the country have created offices of labor standards, as a best practice, to centralize worker protection and enforcement efforts and to form a regional hub for policy development. Cities, such as New York, Chicago, and Seattle, have demonstrated success at consolidating their worker protection and enforcement functions while nurturing partnerships with worker advocacy organizations, unions, industry organizations, and businesses to develop and promote new laws, policies, and standards that support regional workforces and economies. The successful models implemented by these peer jurisdictions provide a blueprint that the County can emulate as it seeks to establish its own office of labor standards and enforcement.

The County of Los Angeles (County) has taken various actions during the ongoing health emergency to strengthen worker protections for its most vulnerable and at-risk workers through the adoption of emergency orders and urgency ordinances, such as the Preventing Retaliation for Reporting Public Health violations, Employee Paid Leave for Expanded Vaccine Access Ordinance, Prevention of Human Trafficking Ordinance and Hero Pay Ordinance. However, there is a need to implement a more

comprehensive strategy that builds on these efforts to tackle the broader workplace protection issues that are prevalent in the region. Per the Department of Consumer and Business Affairs' (DCBA) report back on Expanding Worker Protections (Report) filed on August 30, 2021, the creation of a Los Angeles County Office of Labor Equity (OLE) –under the purview of the DCBA, would consolidate and centralize the County's ordinances, initiatives and functions related to worker protections. OLE will also work with the Board and other stakeholders to develop and promote policies and standards that support the County's workers and drive a strategic and systemic approach to tackling the most pressing issues facing them.

WE, THEREFORE, MOVE that the Board of Supervisors:

1. Instruct the Director of the Department of Consumer and Business Affairs (DCBA) to establish the Office of Labor Equity (OLE) – as recommended in DCBA's August 30, 2021 Report. This includes execution of a phased implementation plan that will utilize existing resources to establish the OLE and will scale up operations as funding and other resources are identified and secured;
2. Instruct the Chief Executive Officer (CEO), in consultation with the Director of DCBA to report back during the Recommended Budget with potential options for ongoing and one-time bridge funding, including opportunities under the American Rescue Plan (ARP), as DCBA prepares a phased in expansion of the new office;
3. Direct the new OLE to develop strategies, policies, and partnerships to carry out a targeted enforcement program to protect workers in key industries with an initial focus on the three target industries identified in the August 2021 Report – Private Households (including but not limited to domestic work), Personal and Laundry Services (including but not limited to hairdressers, manicurists, and massage therapists), and Food Service (including but not limited to fast food workers, cooks,

- food preparers) – and to lay the groundwork for targeting additional priority industries and/or refine existing ones in subsequent phases of OLE implementation;
4. Direct DCBA, OLE, in consultation with CEO to report back within 120 days on the following:
 - a) A detailed evaluation and analysis of existing enforcement practices to produce a phased-in strategic enforcement transition plan;
 - b) A proposed budget and staffing plan for phasing-in the growth of the OLE through FY 2023-24;
 - c) Potential ongoing and one-time bridge funding as outlined in directive #2; and
 - d) Policy recommendations to address the most pressing needs of vulnerable workers in the County, beginning with, but not limited to, workers in the three initial targeted industries identified in the August 2021 Report.
 5. Direct the OLE to begin building partnerships with state agencies, community-based organizations, worker advocacy organizations, worker unions, and employers in key industries to improve worker outreach/education and strengthen enforcement activities for vulnerable workers. This should include strengthening partnerships with state labor enforcement agencies to create systems and best practices to enforce state worker protections in the County; and
 6. Authorize the Director of DCBA, or his designee, to enter into agreements with consultants, as needed to carry out this initiative.