

City of Los Angeles

CALIFORNIA



ERIC GARCETTI
MAYOR

NOTICE TO APPLICANTS & EMPLOYEES FAIR CHANCE INITIATIVE FOR HIRING ORDINANCE

This Employer is subject to the Fair Chance Initiative for Hiring Ordinance (FCIHO) (LAMC 189.00).

THESE ARE YOUR RIGHTS...

1. **Employers cannot inquire about or seek information about an Applicant's Criminal History until after a Conditional Offer of Employment has been made to the Applicant*.**
 - ✓ This includes job solicitations and applications or during any conversations or interviews
2. **If an Employer decides to rescind an offer of employment based on information discovered during the criminal background check, the Employer is required to perform an Individualized Assessment.**
 - ✓ Individualized Assessment - a written assessment that effectively links the specific aspects of the Applicant's Criminal History with risks inherent in the duties of the Employment position sought by the Applicant.
 - ✓ If the offer is rescinded, the Applicant must receive:
 - o Written notification
 - o Copy of the Individualized Assessment, and
 - o Copies of any documentation used in the Employer's decision
3. **The Applicant has the right to the Fair Chance Process.**
 - ✓ The Applicant has the opportunity to provide information or documentation to an Employer regarding the accuracy of his/her Criminal History or Criminal History Report or that should be considered in the Employer's assessment, such as evidence of rehabilitation or other mitigating factors.
 - ✓ The Employer is required to hold the job open for at least five (5) days from the date notification of a rescinded offer of employment to allow an Applicant to submit such documentation, and, the Employer is required to review any documentation in order to reassess their decision.

FOR ADDITIONAL INFORMATION OR ASSISTANCE, CALL:

City of Los Angeles
Department of Public Works
Office of Contract Compliance
1149 S. Broadway Street, Suite 300
Los Angeles, CA 90015
Phone: (844) WagesLA – Email: WagesLA@lacity.org

*Note: Not all Applicants/Employees are covered under the FCIHO. Please see ordinance (LAMC 189.00) for more details.

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AVISO PARA SOLICITANTES Y EMPLEADOS **ORDENANZA DE LA INICIATIVA DE OPORTUNIDAD JUSTA PARA LA** **CONTRATACIÓN**

Éste empleador está sujeto a la Ordenanza de la Iniciativa de Oportunidad Justa Para la Contratación (Fair Chance Initiative for Hiring Ordinance) (FCIHO) (LAMC 189.00).

ÉSTOS SON SUS DERECHOS...

- 1. Los empleadores no deben preguntar al solicitante sobre los antecedentes penales hasta después de que se le ha dado al solicitante una oferta condicional de empleo.**
 - ✓ Ésto incluye solicitudes y solicitudes de empleo o durante cualquier tipo de conversaciones o entrevistas
- 2. Si el empleador decide revocar la oferta de empleo como resultado de la investigación de antecedentes, el empleador está obligado a realizar una evaluación individualizada.**
 - ✓ Evaluación Individualizada – Un análisis por escrito de las funciones y responsabilidades del trabajo, los antecedentes penales del solicitante, y cualquier otro factores que pueden afectar a la decisión de contratación.
 - ✓ Si se retiró la oferta, el solicitante debe recibir:
 - o Un aviso por escrito
 - o Una copia de la evaluación individual, y
 - o Copias de todos los documentos que el empleador utilizó a llegar a la decisión
- 3. El solicitante tiene el derecho al proceso de la Oportunidad Justa.**
 - ✓ El solicitante tiene cinco (5) días desde la fecha cuando recibió el aviso de retiro de oferta para juntar y entregar documentos que muestra la prueba de rehabilitación y/o errores en la investigación de antecedentes. Se requiere que los empleadores examinen cualquier documentación presentada para reexaminar su decisión.

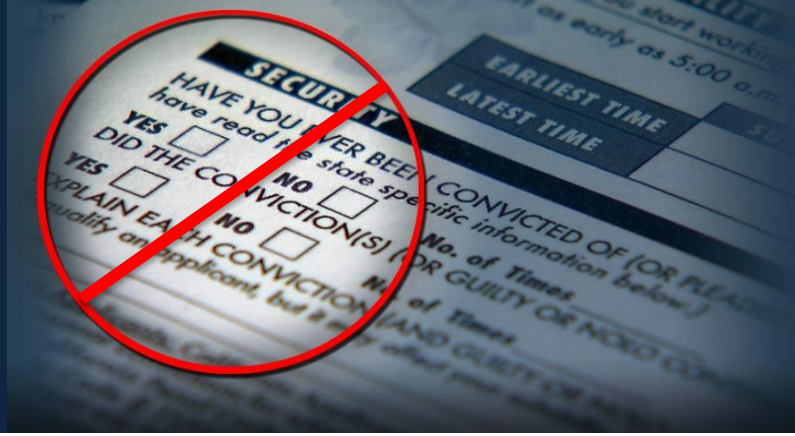
PARA MÁS INFORMACIÓN O ASISTENCIA, PUEDE LLAMAR A:

City of Los Angeles
Department of Public Works
Office of Contract Compliance
1149 S. Broadway Street, Suite 300
Los Angeles, CA 90015

Teléfono: (213) 847-2625 – Email: WagesLA@lacity.org

*La nota: No todos los solicitantes/empleados están cubierto bajo el FCIHO. Consulte con la ordenanza (LAMC 189.00) para más detalles.

PHILADELPHIA'S FAIR CHANCE HIRING LAW



ENSURING PEOPLE WITH CRIMINAL RECORDS HAVE A FAIR CHANCE TO WORK

Starting March 14, 2016, stronger protections under the City's "Ban the Box" law go into effect.

It is illegal in Philadelphia for employers* to ask about your criminal background during the job application process.

This means that:

Employers **cannot** ask about your criminal background on job applications or during any job interview.

Employers can run your criminal background check **ONLY AFTER** a **conditional offer of employment** is made (final hiring depends on the results of your background check).

- Criminal convictions can be considered **ONLY** if they occurred less than 7 years from when you apply (not counting time of incarceration).
- Arrests that did not lead to conviction cannot be used in employment decisions.

If your background check reveals a conviction, the employer must consider:

- The type of offense and the time that has passed since it occurred;
- Its connection to the job you are applying for; and
- Your job history, character references, and any evidence of rehabilitation.

Employers can reject you based on your criminal record **ONLY** if you pose an unacceptable risk to the business or to other people.

If you are rejected, the employer must send the decision to you in writing with a copy of the background report used to make the decision.

- You have 10 days to give an explanation of your record, proof that it is wrong, or proof of rehabilitation.

WE CAN HELP!

If you believe an employer has violated the law, you can file a complaint with the PCHR.



Philadelphia Commission on Human Relations
601 Walnut Street, Suite 300 South
Philadelphia, PA 19106
(p) (215) 686-4670 (f) 215-686-4684
email: pchr@phila.gov
www.phila.gov/humanrelations



*Some employers are exempt.

Post where readily accessible to job applicants and employees.

CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE, MAYOR



NOTICE TO JOB APPLICANTS AND EMPLOYEES

San Francisco Fair Chance Ordinance

Police Code, Article 49

Starting August 13, 2014, the Fair Chance Ordinance (San Francisco Police Code, Article 49) requires employers to follow strict rules regarding the use of arrest and conviction records in hiring and employment decisions. The ordinance covers job applicants and employees who would be or are performing work in whole, or in substantial part, in San Francisco and applies to employers who have 20 or more employees (regardless of the employees' locations).

Certain matters are off-limits. An employer may *never* ask about, require disclosure of, or consider: an arrest not leading to a conviction (other than an unresolved arrest that is still undergoing criminal investigation or trial); participation in a diversion or deferral of judgment program; a conviction that has been expunged or made inoperative; any determination in the juvenile justice system; a conviction more than 7 years old; and a criminal offense other than a felony/misdemeanor. Matters that are off-limits cannot be used by the employer for any reason at any stage of the hiring process.

An employer cannot ask about an individual's conviction history or unresolved arrests at the start of the hiring process. This includes through a job application form, informal conversation, or otherwise.

A mandatory interactive process for matters not off-limits. Only after a live interview has been conducted, or a conditional offer of employment made, is the employer allowed to ask about an individual's conviction history (except as to matters that are off-limits) and unresolved arrests. Only those convictions and unresolved arrests that *directly relate* to the individual's ability to do the job may be considered in making an employment decision.

Before the employer may take an adverse action such as failing/refusing to hire, discharging, or not promoting an individual based on a conviction history or unresolved arrest, the employer must give the individual an opportunity to present evidence that the information is inaccurate, the individual has been rehabilitated, or other mitigating factors. The individual has seven days to respond, at which point the employer must delay any adverse action for a reasonable time and reconsider the adverse action. The employer must notify the individual of any final adverse action.

Evidence of rehabilitation include satisfying parole/probation; receiving education/training; participating in alcohol/drug treatment programs; letters of recommendation; and age at which the individual was convicted. *Mitigating factors* include coercion, physical or emotional abuse, and untreated substance abuse/mental illness, that contributed to the conviction.

Preemption. Where federal or state law imposes a criminal history requirement that conflicts with a requirement of the Fair Chance Ordinance, the federal or state law will apply.

No Retaliation. An employer may not take an adverse action against an applicant or employee for exercising their rights under the ordinance or cooperating with the Office of Labor Standards Enforcement OLSE.

If you need more information, or wish to report an employer that you believe has violated this ordinance, please contact the OLSE at 415-554-5192 or email FCE@sfgov.org.

2019 Seattle Labor Standards Ordinances

The mission of the Office of Labor Standards is to advance labor standards through thoughtful community and business engagement, strategic enforcement and innovative policy development, with a commitment to race and social justice.



This poster must be displayed in a noticeable area at the workplace, in English and the language(s) spoken by employees.

The Office of Labor Standards provides translations, interpretations, and accommodations for people with disabilities.

SMC 14.19

Minimum Wage

SETS MINIMUM WAGES FOR EMPLOYEES

Large Employers
(501 OR MORE EMPLOYEES)

\$16.00
PER HOUR

Small Employers
(500 OR FEWER EMPLOYEES)

Does the employer pay at least \$3.00 per hour toward the individual employee's medical benefits and/or does the employee earn at least \$3.00 per hour in tips?

NO

\$15.00
PER HOUR

YES

\$12.00
PER HOUR

Employer Size
Count the employer's total number of all employees worldwide. For franchises, count all employees in the franchise network.

Medical Benefits
Employee of small employer must be enrolled in a silver-level or higher plan as defined by the federal Affordable Care Act.

» An employer cannot pay a reduced minimum wage if the employee declines or is not eligible for medical benefits.

SMC 14.20

Wage Theft

PROVIDES PROTECTIONS AGAINST WAGE THEFT

Employers must pay all compensation owed on a regular pay day and give employees written information about their job and pay.

Written information must include:

- Employer's name and contact information
- Employee's rate of pay, eligibility to earn overtime, pay basis (hour, shift, day, week, commission), and regular pay day
- Explanation of employer's tip policy
- Itemized statement of pay information on pay days

Examples of pay requirements:

- Pay minimum wage
- Pay overtime
- Pay for rest breaks
- Pay amount promised
- Pay for work off the clock
- Pay tips
- Pay service charges (unless listed on receipt or menu as not payable to the employee(s) serving the customer)
- Reimburse employer expenses
- No misclassification of employees

SMC 14.17

Fair Chance Employment

LIMITS USE OF CONVICTION AND ARREST RECORDS

Prohibited:

- Job ads that exclude applicants with conviction or arrest records
- Job applications with questions about conviction or arrest records, unless the employer has already screened the applicant for minimum qualifications
- Job denial (or other adverse employment actions) based solely on an arrest record

Some exceptions apply, including jobs with unsupervised access to children under 16, people with developmental disabilities, or vulnerable adults

Employers are required to:
Delay criminal background checks until after screening applicants for minimum qualifications

Follow procedures before taking an adverse action based solely on a criminal background check:

- » Provide an opportunity to explain or correct criminal background check information
- » Hold the position open for at least two business days
- » Have a legitimate business reason that employing the person will harm the business or impact the employee's ability to perform the job

SMC 14.16

Paid Sick & Safe Time

REQUIRES PAID LEAVE FOR MEDICAL OR SAFETY ISSUES

Employers must provide employees with paid leave to care for themselves or a family member.

(Child, Parent, Spouse, Registered Domestic Partner, Grandparent, Grandchild, Sibling)

Sick Time: A physical or mental health condition, including a medical appointment

Safe Time: Reasons related to domestic violence, sexual assault, stalking or public health issues*

Paid Sick & Safe Time (PSST) Rates

	TIER 1	TIER 2	TIER 3
Employer Size FULL-TIME EQUIVALENT EMPLOYEES (FTEs) WORLDWIDE	Up to 49 FTEs	50 – 249 FTEs	250+ FTEs
Accrual of PSST PER HOURS WORKED	1 hour PER 40 HOURS	1 hour PER 40 HOURS	1 hour PER 30 HOURS
Carry over of unused PSST PER YEAR	40 hours	56 hours	72 hours**

* SAFE TIME CAN ALSO BE USED TO CARE FOR A HOUSEHOLD MEMBER
**108 HOURS FOR TIER 3 EMPLOYERS WITH A PAID TIME OFF (PTO) POLICY

Employers

Obtain compliance assistance and/or receive training

Employees

File a complaint with OLS or file a lawsuit in court

206-256-5297
www.seattle.gov/laborstandards