EQUAL EMPLOYMENT OPPORTUNITY ENFORCEMENT

ORDINANCES AND THEIR REQUIREMENTS FOR CONTRACTORS
Disclosure Ordinances

* Slavery Disclosure Ordinance
  * Requires the disclosure of a company’s participation, investments, or profits derived during the Slavery Era (prior to 1865).

* Disclosure of Border Wall Contracting Ordinance
  * Requires City Contractors who submit bids to disclose any and all contracts, bids or proposals to provide goods or services for the design, construction, operation or maintenance of the Trump Administration’s proposed Border Wall.

* Disclosure of Contracts and Sponsorship of the National Rifle Association
  * Requires City Contractors disclose, prior to entering into a Contract, contracts with or sponsorships with the NRA.

* **Pre-Award Requirements:** Submission of Disclosure Ordinance web form via LABAVN.org
Equal Benefits Ordinance (EBO)
- Requires that City Contractors provide equal benefits to their employees with spouses and employees with domestic partners (both same and opposite sex).
- Applies to:
  - services, leases, purchases, construction which exceed $25K.
First Source Hiring Ordinance (FSHO)

The FSHO requires City Contractors to estimate the anticipated employment opportunities they will need to fill in order to perform the service(s) in their City contract. During the term of their contracts, any employment opportunities that may become available will need to follow the FSHO procedures.

Applies to:
- Service Contracts in excess of $25k and 3 months
- Loans or grants in excess of $25k and 3 months primarily for the furnishing of services.

Pre-Award Requirement: The Equal Benefits Ordinance/First Source Hiring Ordinance web form via LABAVN.org.
Log into BAVN.

Only the assigned administrator of the company has the authority to complete the company compliance documents.

Under Profiles, the contractor should go to Company Profile, and click on the Compliance Documents link.
Once the contractor is in the “Company Compliance Documents” page, the contractor should click on the link labeled “Click here to complete and submit this form”.

The LABAVN portal will prompt bidders to review the Disclaimers, Notices and instructions related to completing the selected affidavits/webforms.
Company Compliance Documents

Your company's compliance documents:

- Disclosure Ordinance: Addendum (new)
- Equal Access to Public Hearing Ordinance (new)

IMPORTANT INFORMATION - ALL USERS - PLEASE READ - RECENT CHANGES THAT COULD AFFECT COMPLIANCE DOCUMENTS

- Effective July 15, 2018, the Disclosure of Material Contracting Ordinance (DMCO) was combined with the Diversity Disclosure Ordinance (DDO) on a new Disclosure Ordinance Affidavit. With the inclusion of the DDO on the new affidavit, any previously verified DSO affidavit will become obsolete, and your company will be required to complete the new Disclosure Ordinance Affidavit.
The contractor should then click on the link listed as #1 of the Instructions section of the page. This link will prompt the bidder to fill out the web form and submit it for review.
Disclosure Ordinance (DO) Document

Disclaimer:
- By completing, electronically signing, and submitting the Disclosure Ordinance (DO) Affidavit, your company will have satisfied the reporting requirement of the DO.
- A company wishing to seek an exemption of the DO provisions must submit the DO Exemption Form with the bid or proposal.
- The DO Exemption Form shall be forwarded to OCC for processing.
- OCC shall notify the awarding department of the determination resulting from the waiver request.
- This new DO Affidavit will remain valid indefinitely or until any changes occur in the company that would require revision and resubmission.

Important Notice:
- These instructions are NOT applicable to Bidders/Proposers responding to contracting opportunities advertised by the Los Angeles World Airports, the Port of Los Angeles, and the Department of Water & Power.
- Currently, all other forms pertaining to the Living Wage Ordinance and the Contractor Responsibility Ordinance shall be submitted with each bid/proposal.
- The DO Affidavit will remain valid indefinitely or until any changes occur in the company that would require revision and resubmission.

Instructions:
1. Click here to access the Disclosure Ordinance form to fill it and submit it.
2. The company information is pre-filled where only contact information fields may be changed. Fill out the remaining inputs.
3. Sign the electronic e-signature and Terms of Acceptance form and submit it.
4. Clicking on the “Submit” button will save and submit it. No further edits will be allowed.
CITY CONTRACTORS’ USE OF CRIMINAL HISTORY FOR CONSIDERATION OF EMPLOYMENT APPLICATIONS

* Requires the following:

  * Contractors do not include any inquiries into applicants’ criminals histories on job applications.
  * Contractors do not inquire about an applicant’s criminal history until after a conditional offer of employment has been made.
  * If an offer of employment is withdrawn as a result of a criminal history review, the applicant must be given the opportunity for the Fair Chance Process.
  * No forms are required to be submitted. Compliance language for this ordinance should be included in the contract.
The Nondiscrimination, Equal Employment Practices (EEP), and the Affirmative Action (AA) program provisions ensure that City contractors do not discriminate in their employment practices.

- Contractors are expected to:
  - Follow unbiased employment practices
  - Maintain proper personnel records
- No forms are required to be submitted. Compliance language for this ordinance should be included in the contract.
Ensures that employees of City contractors working on a City contract receive the City’s Living Wage rate and the required number of compensated and uncompensated time off.

Applies to:

- Service contracts in excess of $25K and more than 3 months
- Leases (where the City is the Lessor)
- City Financial Assistance Recipients (where the assistance is more than $100K or greater than or equal to $1,000,000 per 12 months).
**LIVING WAGE ORDINANCE**

* **Pre-award requirement:** No forms are required to be submitted prior to award. Compliance language for this ordinance should be included in the contract.

* **Post-award requirements:**
  * Submission of the LW-6 form with the required supporting documents or one of the following exemption forms if the Contractor qualifies:
    * LW 10 – OCC Exemption Application
    * LW 28 – 501(C)(3) Nonprofit Exemption Application
    * LW 26 – Small Business Exemption Application (only applies to leases.
  * Submission of the LW-18 form.
WORKER RETENTION ORDINANCE

* Requires that if an Awarding Department terminates a contract and they intend to contract with a new company to provide similar services, the outgoing contractor must provide the names of eligible employees to the Successor Contractor, Awarding Department and the Designated Administrative Agency.

* The Successor Contractor must retain these employees for a 90-day period.
WORKER RETENTION ORDINANCE

* Applies to:
  * Contracts that are let to a Contractor,
  * City Financial Assistance Recipient in excess of $25K and more than 3 months,
  * Leases if the contract is also subject to the Living Wage Ordinance.

* **Pre-award requirement:** No forms are required to be submitted prior to award. Compliance language for this ordinance should be included in the contract.
The purpose of this ordinance is to ensure that a prospective contractor has the necessary quality, fitness, and capacity to perform the work set forth in a contract. The responsibility would be determined by the awarding department’s reliable info concerning a number of criteria. ie) management expertise, technical qualifications, experience, financial resources, satisfactory performance of other contracts.
Applies to:

- Contracts that are let to a Contractor,
- City Financial Assistance Recipient in excess of $25,000 and more than 3 months, and
- Leases.

Pre-Award Requirement: Complete and submit the Contractor Responsibility Ordinance Questionnaire with the BID proposal.

Post-award requirements:

- The Pledge of Compliance.
Awarding Departments should contact:
  * Sophy Tzeng, Supervisor: Sophy.Tzeng@lacity.org
  * Patricia Fuellas: Patricia.Fuellas@lacity.org

Contractors should contact:
  * Bca.eeoe@lacity.org
ORDINANCES AND THEIR REQUIREMENTS FOR CONTRACTORS

* QUESTIONS AND ANSWERS