

# Los Angeles County Fair Chance Ordinance

Effective September 3, 2024, the Los Angeles County Fair Chance Ordinance imposes new, important compliance obligations, including the timing of criminal history inquiries, the content of job postings, and offer letters. The ordinance also introduces procedures for pre-adverse and adverse action notices.

It includes:

- **Timing of criminal history inquiries:** LA County employers must wait until after the applicant has a copy of their background report to inquire about post-offer criminal history.
- **Job postings:** LA County employers must state that qualified applicants with a criminal history are considered and include a list of material job duties that criminal history may affect—potentially leading to the withdrawal of—a conditional job offer.
- **Offer letters:** LA County employers must include a statement that a conditional offer is contingent upon a clearly stated justification for reviewing the candidate's criminal history.
- **Prohibited criminal history information:** The ordinance expands California's Labor Code to include convictions older than seven years (unless an exception applies), driving infractions unless driving is a key job duty, decriminalized conduct convictions, and diversions and deferrals, regardless of completion.
- **Adverse action:** LA County employers must now provide the results of individualized assessments, including initial and reassessment, to the applicant as appropriate in the pre-adverse and adverse process. Candidates must be notified of the right to file a complaint with the Los Angeles County Department of Consumer and Business Affairs. Adverse letters must be sent by mail and email (if known), and the deadlines to respond must be in bold, caps, or underlined. Candidates are now offered 15 business days to respond and may present their information by phone, in person, or virtually.