

**APPENDIX B**

**STATEMENT OF WORK  
AS-NEEDED NON-TECHNICAL STAFFING SERVICES**

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## 1.0 SCOPE OF WORK

The Department of Registrar-Recorder/County Clerk (Department) requires the services of Contractors for the placement of As-Needed Technical Staffing Services personnel in the Department's headquarters and warehouse locations prior to, during, and after an election, as well as at temporary ballot collection centers and Vote Centers throughout the County of Los Angeles (County) during each voting period. Assignment durations will range for a period of not to exceed ninety (90) days per Government Code 31000.4, with shifts to include day and evening hours, as well as weekdays, weekends, and holidays, and may require overtime that will be coordinated with the County Project Manager for each assignment.

## 2.0 WORK ORDER PROCESS

The Department requires the services of Contractor to provide placement of Temporary Personnel for an array of temporary personnel assigned to various bureaus and facilities within the County of Los Angeles. Temporary Personnel shall be used for any peak load, temporary absence, or emergency other than labor disputes.

2.1 Upon determination by County to request temporary personnel services, it is County's intent to issue a Work Order to all Active Contractors. However, based on the needs of the County, the Department has the sole discretion to issue a Work Order to any and all of the Active Contractors at the same time.

### 2.2 Work Order Process

Work Orders generally will be issued by the Department to Active Contractors in the following manner:

2.2.1 Work Orders shall be issued to multiple Active Contractors. The County may actively issue the same number of work orders as there is Active Contractors on the MA per Election cycle depending on the size and scope of the project.

2.2.2 Work Orders shall contain the following:

1. Contractor's Name
2. Work Order Number
3. Tentative Start Date and End Date (Election Period)
4. Name and Address of Unit Requesting Service
5. Name of Manager/designee Coordinating Hiring
6. Number of Temporary Personnel staff required
7. Job Classification and specialty skill(s).
8. Hourly Billable Rate
9. Date Work Order Section I is due from Contractor
10. Summary Description of the Assignment
11. Election Date and Title

2.2.3 Failure of Contractor to provide a written response and provide the required documentation within the specified timeframe listed in the Work Order, shall disqualify Contractor for that specific Work Order.

2.2.4 Should a Contractor not be able to fulfill the requirements prior to or after full execution of the Work Order, the Department will proceed to the next Contractor on the rotation for the specific job classification requested.

## 2.4 Exceptions by County

County Project Manager may select an additional Active Contractor as “on-call” to provide an alternative plan to the selected Active Contractor(s) in the case that the selected Active Contractor is incapable of providing the required job classification in fulfillment of Department’s Work Order requirements.

## 3.0 SPECIFIC WORK REQUIREMENTS

### 3.1 General Clerical Services

This position will work under an assigned supervisor on a variety of assignments essential to conducting election functions of the Department. Typical duties include, but are not limited to:

- Opening and processing incoming mail;
- Assembly of election materials;
- Data entry and data processing using election management software;
- Operating voting equipment such as electronic pollbooks (laptops), ballot printers and ballot marking devices at Vote Centers;
- Greeting, directing and assisting voters during the voting process.

*These duties will require - at a minimum - the following knowledge, skills, and abilities:*

- Strong customer service and communication skills;
- Experience using office equipment such as computers, scanners, fax machines and printers;
- basic keyboarding skills, including the ability to type a minimum of 25 wpm;
- Light lifting;
- Strong attention to detail;
- Ability to work in a fast-paced environment.
- Bilingual skills may be required for certain positions.

**Requirements:****EDUCATION**

High school diploma or equivalent.

**LICENSE**

A valid California Class C Driver's License to carry out job-related essential functions.

**Desirable Qualifications/Experience:**

Ability to speak and/or write in one or more of the following languages: Armenian, Chinese, Farsi, Hindi, Japanese, Khmer, Korean, Russian, Spanish, Tagalog/Filipino, Thai, and Vietnamese.

*Staff may be assigned to work in an office, warehouse or temporary Vote Center environment. Assignments may last for a period not to exceed ninety (90) days per Government Code 31000.4.*

**3.2 Multilingual Clerical Services**

This position will work under an assigned supervisor on a variety of assignments essential to conducting election functions of the Department. Typical duties include, but are not limited to:

- Proofreading of English and/or translated ballot material content in various forms;
- Translation of various election related materials from English to the required language;
- Audio recording of ballots in the required language;
- Providing customer service in the required language;
- Recruiting multilingual volunteers to serve at Vote Centers;
- Data entry and data processing using election management software.

*These duties will require - at a minimum - the following knowledge, skills, and abilities:*

- Performance of specialized clerical functions requiring proficiency (speaking, reading, and writing) in English and one or more of the following languages: Armenian, Chinese, Farsi, Hindi, Japanese, Khmer, Korean, Russian, Spanish, Tagalog/Filipino, Thai and Vietnamese.
- Demonstrated strong oral and written communication skills;

- demonstrated strong customer service skills;
- Light lifting;
- Strong attention to detail;
- Basic computer and keyboarding skills;
- Ability to work in a fast-paced environment.

***Requirements:***

**EDUCATION**

High school diploma or equivalent.

**LICENSE**

A valid California Class C Driver's License to carry out job-related essential functions.

*Staff may be assigned to work in an office, warehouse or temporary Vote Center environment. Assignments may last for a period not to exceed ninety (90) days per Government Code 31000.4.*

**3.3 Supervisory Clerical Services**

This position is required to oversee the operations of a Vote Center and the staff assigned to it. Typical duties include, but are not limited to:

- Coordinating the opening and closing of the Vote Center;
- Serving as the primary point of contact for their assigned Vote Center by communicating issues to RR/CC headquarters and designated staff;
- Delegating tasks, assigning roles, and setting break schedules;
- Answering staff and voter questions;
- Transporting ballots and election supplies to designated collection centers at the end of each shift.

*These duties will require - at a minimum - the following knowledge, skills, and abilities:*

- Prior supervising experience;
- Demonstrated strong leadership/supervisory skills;
- Demonstrated strong customer service and communication skills;

- Experience using office equipment such as computers, scanners, and printers;
- Basic keyboarding skills, including the ability to type a minimum of 25 wpm;
- Light to medium lifting;
- Strong attention to detail;
- Ability to work in a fast-paced environment;
- Ability to transport materials using personal vehicle
- Bilingual skills may be required for certain positions.

***Requirements:***

**EDUCATION**

High school diploma or equivalent.

**LICENSE**

A valid California Class C Driver's License to carry out job-related essential functions.

***Desirable Qualifications/Experience:***

Prior election experience.

*Staff may be assigned to work in an office, warehouse or temporary Vote Center environment. Assignments may last for a period not to exceed ninety (90) days per Government Code 31000.4.*

**3.4 Warehouse Services**

This position will perform election material maintenance, assembly, and processing functions in a warehouse environment. Typical duties include, but are not limited to:

- Processing ballot materials through specialized machinery;
- Handling, logging and packaging materials;
- Sealing, labeling and scanning ballot boxes;
- Lifting and moving ballot boxes to next workstation;
- Loading and unloading of materials from assigned vehicle;

- Completion of required forms documenting transfer of materials;
- Use of scanners or similar equipment;
- Assist with preparation of materials for loading or after unloading within a warehouse environment.

*These duties will require - at a minimum - the following knowledge, skills, and abilities:*

- Ability to lift up to 25 pounds;
- Ability to bend, stoop, walk and stand for extended periods of time;
- Ability to reach, push, and pull from above chest height;
- Ability to push heavy objects, such as carts stocked with materials;
- Basic computer skills;
- Ability to use a scanner or similar device to scan materials into tracking database.

***Requirements:***

**EDUCATION**

High school diploma or equivalent.

**LICENSE**

A valid California Class C Driver's License to carry out job-related essential functions.

*Staff may be assigned to work in an office, warehouse or temporary Vote Center environment. Some positions may require the ability to work outdoors, in various weather conditions. Assignments may last for a period not to exceed ninety (90) days per Government Code 31000.4.*

**3.5 Supervisory Warehouse Services**

This position will perform election material collection and tracking essential to conducting election functions of the Department. Typical duties include, but are not limited to:

- Overseeing the collection of ballots from Vote Centers and Vote by Mail Drop-Box locations;
- Overseeing the completion of logs and forms during the collection process;



- Using scanners to track assets;
- Serving as point of contact during the voting period for assigned staff.

*These duties will require - at a minimum - the following knowledge, skills, and abilities:*

- Ability to work outdoors, during evening hours, in various weather conditions.
- Strong leadership/supervisory skills;
- Strong customer service and communication skills;
- Ability to bend, stoop, walk and stand for extended periods of time;
- Ability to use a scanner or similar device to scan materials into tracking database.

***Requirements:***

**EDUCATION**

High school diploma or equivalent.

**LICENSE**

A valid California Class C Driver's License to carry out job-related essential functions.

Potential employee meets the restrictions outlined in the DMV Mainframe Driving Record Checklist (Exhibit 3). The County reserves the right to request a copy of the DMV Record Printout of any Contractor's personnel who are assigned to perform work with the County under this MA.

***Desirable Qualifications/Experience:***

Prior election experience.

*Staff may be assigned to work in an office, warehouse or temporary Vote Center environment. Some positions may require the ability to work outdoors, in various weather conditions. Assignments may last for a period not to exceed ninety (90) days per Government Code 31000.4.*

**3.6 Warehouse-Driving Services**

This position will perform election material/equipment transportation functions essential to conducting election functions of the Department. Typical duties include, but are not limited to:

- Driving county vehicles, vans and/or trucks up to twenty-six (26) feet in length, to deliver and retrieve election materials from various locations;
- Loading and unloading of materials from assigned vehicle;
- Completion of required forms documenting transfer of materials;
- Use of scanners or similar equipment;
- Assist with preparation of materials for loading or after unloading within a warehouse environment.

*These duties will require - at a minimum - the following knowledge, skills, and abilities:*

- Ability to lift up to 25 pounds repeatedly;
- Ability to climb in and out of truck cabs;
- Ability to bend, stoop, walk and stand for extended periods of time;
- Ability to reach, push, and pull from above chest height;
- Ability to work outdoors, during evening hours and in various weather conditions.

***Requirements:***

**EDUCATION**

High school diploma or equivalent.

**LICENSE**

A valid California Class C Driver's License to carry out job-related essential functions.

Potential employee meets the restrictions outlined in the DMV Mainframe Driving Record Checklist (Exhibit 3). The County reserves the right to request a copy of the DMV Record Printout of any Contractor's personnel who are assigned to perform work with the County under this MA.

**CERTIFICATIONS**

Some positions will be required to have the appropriate training and certification to operate a pallet jack.

***Desirable Qualifications/Experience:***

One year minimum of driving experience.

*Staff may be assigned to work in an office, warehouse or temporary Vote Center environment. Assignments may last for a period not to exceed ninety (90) days per Government Code 31000.4.*

The Department reserves the right to add and/or delete temporary personnel job classifications throughout the term of the Master Agreement.

#### **4.0 HOURS/DAYS OF WORK**

- 4.1 County will provide a list of County-recognized holidays.
- 4.2 The Department requires the services of Contractors for the placement of temporary personnel in the Department's headquarters and warehouse locations prior to, during and after an election, as well as at temporary ballot collection centers and VCs throughout the County of Los Angeles (County) during each voting period. Assignment durations will be for a period not to exceed ninety (90) days per Government Code 31000.4, with shifts that can vary depending on the position and the proximity to an election and include day and evening hours, as well as weekdays, weekends, and holidays, and may require frequent overtime that will be coordinated with the County Project Manager for each assignment.
- 4.3 Accepted Temporary Personnel shall be assigned to work at various locations throughout Los Angeles County as identified on the Work Order and shall be required to work alternative working hours if needed. Working days/hours are generally between Sunday through Saturday, 6:00 a.m. until 12:00 a.m., which consists of multiple shifts, including County recognized holidays. Working hours may vary, depending on the assigned work, work location and days within the election cycle. Under certain circumstances, Temporary Personnel may be required to work holidays and weekends.

#### **5.0 WORK SCHEDULES**

Contractor employees may be assigned to work in an office, warehouse and/or a temporary VC environment, depending on their position and will be responsible for their own transportation to and from assigned training and worksites, which may be located anywhere within the County of Los Angeles.

#### **6.0 UNSCHEDULED WORK**

- 6.1 The County reserves the right to perform unscheduled work itself or assign the work to another Contractor.
- 6.2 If the Contractor provides any tasks, deliverables, goods, services, or other work, other than as specified in this SOW, the same shall be deemed to be a gratuitous effort on the part of the Contractor, and the Contractor shall have no claim whatsoever against the County.

## **7.0 ADDITION AND/OR DELETION OF FACILITIES, SPECIFIC TASKS AND/OR WORK HOURS**

- 7.1 All changes must be made in accordance with sub-paragraph 8.1 Amendments of the MA.
- 7.2 County may increase or decrease the number of facilities and locations for work assignments. All facilities will be located throughout Los Angeles County. County shall provide the Contractor with any updated Facility Location List before any services are requested.

## **8.0 RESPONSIBILITIES**

The County's and the Contractor's responsibilities are as follows:

### **COUNTY**

#### **8.1 Personnel**

The County will administer the MA according to the MA, Paragraph 6.0, Administration of MA - County. Specific duties will include:

- 8.1.1 Monitoring the Contractor's performance in the daily operation of this MA.
- 8.1.2 Providing direction to the Contractor in areas relating to policy, information and procedural requirements.
- 8.1.3 Preparing Amendments in accordance with the MA, Paragraph 8. Standard Terms and Conditions, Sub-paragraph 8.1 Amendments.
- 8.1.4 The County shall not provide materials, equipment and/or services necessary to operate this MA except as listed below:
- The County will provide all office equipment necessary to perform the services described in this MA.
  - In the event the Contractor's employee damages County equipment and/or facility by reason of abuse or carelessness as determined by the County, the Contractor will repair or replace as determined by the County, any and all damages to equipment and/or facility within fifteen (15) calendar days. In the event the Contractor does not repair or replace equipment or damage to the facility, the County will do so and will charge the Contractor for all expenses by deducting such payment from the Contractor's invoice(s).
  - Parking for the Contractor's personnel will be provided when available. In the event, a work location requires paid parking, the Contractor will be responsible for paying the parking fee. The County is not responsible for paying the parking fee.

- The County is not responsible for any damages to vehicles owned by the Contractor or the Contractor's employees.
- The County will provide vehicles to Contractor employees that require a Class C Driver's License, in order to complete work duties associated with the setup, troubleshooting, and deployment of the equipment to Vote Centers around Los Angeles County. Otherwise, the Contractor's employees are responsible for providing their own transportation to and from assigned training and work locations.
- The County reserves the right to have the County's Program Manager or authorized agent, interview any or all prospective employees of the Contractor.

## **8.2 Supporting Documentation for Timecards**

The County will administer the MA according to the MA, Paragraph 6.0 Administration of MA - County. Specific duties will include:

- 8.2.1 Monitoring the Contractor's performance in the daily operation of this MA.
- 8.2.2 Providing direction to the Contractor in areas relating to policy, information and procedural requirements.
- 8.2.3 Preparing Amendments in accordance with the MA, Paragraph 8.0, Standard Terms and Conditions, Sub-paragraph 8.1 Amendments.
- 8.2.4 Contractor's temporary personnel shall sign in-and-out daily on the County (Requestor of Service) weekly timesheet. Each week the County's supervisor(s) will verify and sign the timesheet which will list all of the temporary personnel per Contractor per work order. The Supervisor shall forward the timesheet(s) to the County Project Manager or designee weekly. The weekly Timesheet period shall commence Sunday through Saturday.
- 8.2.5 All Timecards must list the following information:
  - Temporary Personnel's last and first name
  - Date of each work day within the week
  - Start and end time of hours worked
  - Total number of hours worked for each day
  - Supervisor's signature, validating accuracy of hours worked

## **8.3 Furnished Items**

- County Election Schedules
- County Election Calendars
- Vehicles for drivers only for driving positions

- Locations of worksites
- All materials/equipment to provide the needed services.
- County shall provide training programs for all new employees and continuing in-service training for all employees as it relates to specialized work assignments.
- All employees shall be trained in their assigned tasks and in the safe handling of equipment. All equipment shall be checked daily for safety. All employees must wear safety and protective gear according to OSHA standards if needed.

## **CONTRACTOR**

### **8.4 Project Manager**

- 8.4.1 Contractor shall provide a full-time Project Manager or designated alternate. County must have access to the Project Manager during normal business hours, Monday through Friday, 8:00 A.M. to 5:00 P.M. Pacific Time (PT). Contractor shall provide a telephone number where the Project Manager may be reached on a twenty-four (24) hours per day basis during an Election cycle.
- 8.4.2 Project Manager shall have a minimum of five (5) years of experience providing placement of temporary personnel.
- 8.4.3 Project Manager shall act as a central point of contact with the County.
- 8.4.4 Project Manager/alternate shall have full authority to act for Contractor on all matters relating to the daily operation of the MA. Project Manager/alternate shall be able to effectively communicate, in English, both orally and in writing.
- 8.4.5 Contractor's Project Manager shall monitor and supervise assigned temporary personnel's performance and delivery of the required services in conjunction with the County.
- 8.4.6 Contractor's Project Manager shall follow-up with County Project Manager or designee to ensure the services rendered met the Work requirements.
- 8.4.7 Contractor shall provide written notification to County Project Manager or designee prior to any change of Contractor Project Manager and shall comply with the requirements of the MA.

### **8.5 Personnel**

- 8.5.1 Contractor shall provide the most qualified Temporary Personnel for each job classification based on education, work experience, certification/license, background, potential abilities, interpersonal skills, and aptitude. If the County determines that the Temporary Personnel does not meet County needs then the Contractor will provide a replacement within twenty-four (24) hours.
- 8.5.2 Contractor will be required to provide personnel within twenty-four (24) hours after receipt of a work order; however, if the required number of

personnel has not arrived with forty-eight (48) hours, the RR/CC reserves the right to cancel the order and purchase services from other sources.

- 8.5.3 Contractor shall ensure a sufficient number of employees to perform the required work per the Work Order request.
- 8.5.4 Contractor shall be required to conduct background checks for their employees as set forth in sub-paragraph 7.5 – Background and Security Investigations, of the MA.
- 8.5.5 The Contractor shall provide the County’s Program Manager with a current list of employees weekly and keep this list updated throughout the MA period.
- 8.5.6 The Contractor shall ensure employees are eighteen (18) years of age or younger to fulfill the required services.
- 8.5.7 Contractor shall be responsible for submitting approved employee timesheets as supporting documentation to the Work Order along with each invoice for payment.
- 8.5.8 Contractor shall abide by the Fair Labor Standards Act (FLSA) and all applicable local, State, and Federal wage and labor laws as they relate to minimum wage, overtime pay, recordkeeping and youth employment standards.
- 8.5.9 Contractor shall maintain all employee records for the lifetime of this MA and in accordance with applicable local, State, and Federal laws.

## **8.6 Contractor Employees**

- 8.6.1 Pursuant to Government Code Section 31000.4, personnel utilized for the temporary services of this MA will be placed in an individual assignment for a maximum period of no more than 90 days at a time. Should a temporary employee be needed for a period exceeding 90 days, the Contractor shall ensure the temporary employee receives a “break in service”, which will be a period of time agreed upon by the RR/CC and the Contractor.
- 8.6.2 Personnel employed by the Contractor and assigned to perform MA work shall undergo and pass a Federal Bureau of Investigation (FBI) and California Department of Justice (DOJ) background check at the Contractor’s expense to the satisfaction of the County, in accordance with the County of Los Angeles Department of Human Resource’s Designation of Sensitive Positions and Conviction History Assessments (Exhibit 2). The County reserves the right to request a copy of the background check of any Contractor’s personnel who are assigned to perform work with the County under this MA.

- 8.6.3 For positions with a driving requirement, the Contractor must verify that the potential employee has a valid California Driver's License through a current DMV Record Printout. The Contractor must also review the printout to ensure the potential employee meets the restrictions outlined in the DMV Mainframe Driving Record Checklist (Exhibit 3). The County reserves the right to request a copy of the DMV Record Printout of any Contractor's personnel who are assigned to perform work with the County under this MA.
- 8.6.4 Personnel assigned by the Contractor must adhere to County's "Appropriate Workplace Attire" Policy and Reference Guide when working in County or County occupied facilities (Exhibit 4).
- 8.6.5 Contractor employees must observe their scheduled working hours.
- 8.6.6 Prior to onboarding, the Contractor may be required to provide Contractor employees with County forms to be filled out prior to commencing work with the County.
- 8.6.7 Contractor employees shall not bring visitors into the workplace.
- 8.6.8 Contractor employees shall not bring any form of weapons or contraband to County facilities.
- 8.6.9 Contractor employees shall not bring any alcohol or drugs or be under the influence of alcohol or drugs when in or on County or County occupied facilities.
- 8.6.10 Contractor employees shall conduct themselves in a professional manner at all times; shall not cause disturbance in any County facility; and otherwise are subject to all rules and regulations of the Department while in the workplace.
- 8.6.11 All personnel assigned by the Contractor to perform MA work shall at all times be employees of the Contractor and the Contractor shall have the sole right to hire, suspend, discipline, or discharge employees. However, at the request of the County, the Contractor shall immediately remove any of the Contractor staff from working on this MA. The County reserves the right to bar any of the Contractor employee from performing work on this MA.
- 8.6.12 At the County's request, the Contractor shall immediately remove any employee who is performing the MA work in an unsatisfactory manner. The County shall not be required to state the reason or otherwise justify its demand. Due to operational demands, the Contractor shall provide an acceptable replacement within twenty-four (24) hours.



## **8.7 Identification Badges**

8.7.2 Contractor shall ensure their employees are appropriately identified as set forth in sub-paragraph 7.4 – Contractor’s Staff Identification, of the MA.

## **8.8 Materials and Equipment**

The purchase of all materials/equipment to provide the Contractor’s needed services is the responsibility of the Contractor. Contractor shall use materials and equipment that are safe for the environment and safe for use by the employee.

Contractor shall provide and maintain, at the Contractor’s sole expense, all working materials/documents including, but not limited to, forms, timesheets, and any payroll or timekeeping systems.

## **8.9 Transportation**

Staff is responsible for their own transportation to and from the assigned worksite. County vehicles will be provided for some driving assignments, but the vehicles may not be used for personal use or commuting to or from the worksite.

## **8.10 Training**

8.10.1 Contractor shall provide training programs for all new employees and continuing in-service training for all employees.

8.10.2 All employees shall be trained in their assigned tasks and in the safe handling of equipment. All equipment shall be checked daily for safety. All employees must wear safety and protective gear according to OSHA standards.

## **8.11 Pre-Screened Temporary Personnel**

8.11.1 Contractor shall pre-screen and qualify all Temporary Personnel assigned to provide services under a Work Order. Documentation of the pre-screened Temporary Personnel must be on Contractor’s letterhead/stationary. Contractor shall attach pre-screened documentation of the Temporary Personnel as described in Exhibit F2 of the Master Agreement.

8.11.2 Any expense associated with performing the pre-screening of Temporary Personnel shall be at the expense of Contractor, regardless if Contractor’s Temporary Personnel are accepted or not by Department.

8.11.4 Contractor shall complete Section I of the Work Order and return to the County Project Manager or designee with the attached pre-screen documentation and Exhibits G1, G2, and G3 before Work begins, of the Master Agreement for each Temporary Personnel assigned to the Work Order, no later than the date indicated on Exhibit F1 of the Work Order.

## 8.12 Contractor's Office

Contractor shall maintain an office with a telephone in the company's name where Contractor conducts business. The office shall be staffed during the hours of 8:00 P.M. to 5:00 P.M. PT, Monday through Friday, by at least one employee who can respond to inquiries and complaints which may be received about the Contractor's performance of the Contract. When the office is closed, an answering service shall be provided to receive calls and be able to forward calls to the Contractor's Project Manager (s). **The Contractor shall answer calls received by the answering service within two (2) hours of receipt of the call.**

## 9.0 QUALITY CONTROL

The Contractor shall establish and utilize a comprehensive Quality Control Plan to assure the County a consistently high level of service throughout the term of the MA. The plan shall be submitted as part of the proposal. An updated copy must be provided to the County Program Manager within two (2) weeks of the MA start date and as changes occur. The original plan and any future amendments are subject to County review and approval and shall include, but is not limited to, the following:

- 9.1 Method of monitoring to ensure that MA requirements are being met. The methods for identifying and preventing deficiencies in the quality of service performed before the level of performance becomes acceptable.
- 9.2 A record of all inspections conducted by the Contractor, any corrective action taken, the time a problem was first identified, a clear description of the problem, and the time elapsed between identification and completed corrective action, shall be provided to the County upon request.
- 9.3 The methods for ensuring uninterrupted service to the County in the event of a strike of the County's or the Contractor employees or any other unusual occurrence (i.e., power loss or natural disaster) which would result in the Contractor being unable to perform contracted work.
- 9.4 The methods for maintaining security of records, and the methods for preventing the loss or destruction of data.

## 10.0 QUALITY ASSURANCE PLAN

The County will evaluate the Contractor's performance under this MA using the quality assurance procedures as defined in this MA,

Paragraph 8, Standard Terms and Conditions, Paragraph 8.15, County's Quality Assurance Plan.

### 10.1 Meetings

Contractor is required to attend scheduled meetings as requested by the County to discuss service levels. Failure to attend will cause an assessment of \$100 dollars per meeting.

## **10.2 Master Agreement Discrepancy Report (Exhibit 1 of Appendix B)**

Verbal notification of a Contract discrepancy will be made to the Contract Project Manager as soon as possible whenever a Master Agreement discrepancy is identified. The problem shall be resolved within a time period mutually agreed upon by the County and the Contractor.

The County Contract Manager will determine whether a formal Master Agreement Discrepancy Report shall be issued. Upon receipt of this document, the Contractor is required to respond in writing to the County Contract Project Monitor within five (5) workdays, acknowledging the reported discrepancies or presenting contrary evidence. A plan for correction of all deficiencies identified in the Master Agreement Discrepancy Report shall be submitted to the County Contract Project Monitor within seven (7) workdays.

## **10.3 County Observations**

In addition to departmental contracting staff, other County personnel may observe performance, activities, and review documents relevant to this MA at any time during normal business hours. However, these personnel may not unreasonably interfere with the Contractor's performance.

## **11.0 GREEN INITIATIVES**

11.1 Contractor shall use reasonable efforts to initiate "green" practices for environmental and energy conservation benefits.

11.2 Contractor shall notify County's Project Manager of Contractor's new green initiatives prior to the MA commencement.

## **12.0 PERFORMANCE REQUIREMENTS SUMMARY**

The Performance Requirements Summary (PRS) chart, Exhibit 5 of Appendix B Statement of Work (Non-Technical Staffing Services), lists required services that will be monitored by the County during the term of this MA is an important monitoring tool for the County. The chart should:

- reference section of the MA
- list required services
- indicate method of monitoring
- indicate the deductions/fees to be assessed for each service that is not satisfactory

All listing of services used in the PRS are intended to be completely consistent with the MA and the SOW, and are not meant in any case to create, extend, revise, or expand any obligation of the Contractor beyond that defined in the MA and the SOW. In any case of apparent inconsistency between services as stated in the MA and the SOW and the PRS, the meaning apparent in the MA and the SOW will prevail. If any service seems to be

created in the PRS which is not clearly and forthrightly set forth in the MA and the SOW, that apparent service will be null and void and place no requirement on the Contractor.

A standard level of performance will be required of the Contractor for the required services. The PRS summarizes the required services, performance standards, maximum allowable deviation for the standards, methods of surveillance to be used by the County. And liquidated damages to be imposed for unacceptable performance. The County will evaluate the Contractor's performance under this MA using the quality assurance procedure specified in the PRS, or other such procedures as may be necessary to ascertain Contractor compliance with this MA. Failure of the Contractor to achieve this standard can result in an assessment of liquidated damages against the Contractor's payment as determined by the County.

When the Contractor's performance does not conform to the requirements of the MA, the County will have the option to apply the following non-performance remedies:

- Require the Contractor to implement a formal corrective action plan, subject to approval by the County. In the plan, the Contractor must include reasons for the unacceptable performance, specific steps to return performance to an acceptable level, and monitoring methods to prevent recurrence.
- Reduce payment to the Contractor by a computed amount based on the assessment fee(s) in the PRS.
- Reduce, suspend, or cancel this MA for systematic, deliberate misrepresentations or unacceptable levels of performance.
- Failure of the Contractor to comply or satisfy the request(s) for improvement of performance or to perform the neglected work specified within ten (10) business days shall constitute authorization for the County to have the service(s) performed by others. The entire cost of such work performed by others as a consequence of the Contractor's failure to perform said service(s), as determined by the County, shall be credited to the County on the Contractor's future invoice.

**APPENDIX B**

**STATEMENT OF WORK EXHIBITS  
AS-NEEDED NON-TECHNICAL STAFFING SERVICES**

**TO:**

**FROM:**

**DATES:**

**Prepared:** \_\_\_\_\_

**Returned by Contractor:** \_\_\_\_\_

**Action Completed:** \_\_\_\_\_

**DISCREPANCY PROBLEMS:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of County Representative

\_\_\_\_\_  
Date

**CONTRACTOR RESPONSE (Cause and Corrective Action):** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Contractor Representative

\_\_\_\_\_  
Date

**COUNTY EVALUATION OF CONTRACTOR RESPONSE:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of County Representative

\_\_\_\_\_  
Date

**COUNTY ACTIONS:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_


**CONTRACTOR NOTIFIED OF ACTION:**

County Representative's Signature and Date \_\_\_\_\_

Contractor Representative's Signature and Date \_\_\_\_\_



**County of Los Angeles  
Department of Human Resources  
POLICIES, PROCEDURES, AND GUIDELINES**

<b>Subject:</b>  <b>DESIGNATION OF SENSITIVE POSITIONS AND CONVICTION HISTORY ASSESSMENTS</b>	<b>Policy Number:</b> 514	<b>Pages:</b> 14
	<b>Effective Date:</b> October 1, 2018	
	<b>Approved By:</b> 	

**PURPOSE**

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Los Angeles County (County) is a *Fair Chance* employer. The purpose of this policy and procedure is to provide guidelines to departments regarding access to conviction history information in connection with employment and placement in sensitive positions.

Unless an exemption applies, applicants, which includes persons applying for employment with the County and current employees applying for a different position within the County will not be asked to provide conviction history information until **after** a department has made a conditional offer of employment. This policy and procedure provides guidance to departments regarding how an applicant's conviction history information is obtained and considered in the hiring process after an applicant has received a conditional offer of employment.

**BACKGROUND**

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On November 10, 1998, the Board adopted a resolution allowing the Director of Personnel and each appointing authority to access local and State summary conviction history information for employment purposes for individuals working in sensitive positions.

On November 25, 1998, the Department of Human Resources (DHR) issued policy and procedures to implement the Board's resolution and provided guidelines on the designation of sensitive positions.

On August 4, 2009, the Board approved a new resolution providing the authority to expand State and local-level access to summary conviction history information to the federal level for employment purposes including volunteers and contract personnel.

**Subject: Designation of Sensitive Positions  
and Conviction History Assessments**

**Policy Number: 514  
Effective Date: October 1, 2018**

On September 15, 2009, the California Department of Justice (DOJ) approved the County's authority to access local, State, and federal-level conviction history information for employment purposes in accordance with Penal Code Section 11105. The expanded provision for federal-level review was first implemented for executive-level employment applicants and employees.

On March 12, 2013, the Board approved an expansion of the County's conviction background check program to include a federal-level review for all current and prospective employees and designated volunteers and contract personnel in sensitive positions. The implementation and completion of the new Live Scan requirement will be the responsibility of each department.

On July 11, 2017, the Board approved a motion to adopt a Fair Chance Ordinance which would require the development of a Fair Chance Review Process to be implemented by all departments prior to taking an adverse employment action against applicants who have prior conviction history. This policy provides procedures and guidance regarding the review process.

Effective January 1, 2018, the Legislature added Section 12952 to the Government Code, which regulates an employer's ability to make hiring decisions based on an applicant's conviction history, and repealed Section 432.9 of the Labor Code. This policy provides procedures and guidance so departments can properly comply with this section of the Government Code.

## **POLICY**

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The County is authorized to access local, State and federal-level summary conviction history information from the DOJ and FBI for purposes of employment in sensitive positions, including placement of volunteers and contract personnel. Fingerprinting for the background check will be conducted using Live Scan to capture and electronically transmit fingerprints to the DOJ and the FBI.

Departments shall not place a person in a sensitive position if the person has been convicted of a felony or a misdemeanor, except that such conviction may be disregarded if, after conducting an individualized assessment, it is determined that there are mitigating circumstances or the conviction is not related to the position and poses no threat or risk to the County or public.

Further, departments shall consider as sensitive any position involving duties which pose a potential threat or risk to the County or to the public when performed by persons who have a conviction history incompatible with those duties, whether those persons are employees of the County employees, volunteers, or perform those services pursuant to contract.



**Subject: Designation of Sensitive Positions  
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Unless an exemption applies as detailed below, it is an unlawful employment practice for the County or any of its departments to do any of the following:

- Require an applicant to complete a "Candidate Conviction History Questionnaire" (CCHQ) or similar form<sup>1</sup>, or otherwise include on any application for employment any question seeking the disclosure of an applicant's conviction history, before making a conditional offer of employment to an applicant.
- Inquire into or consider the conviction history of an applicant before a conditional offer of employment has been made to the applicant.
- Consider, distribute, or disseminate information about an arrest not followed by a conviction, except in circumstances as permitted in Labor Code Section 432.7.
- Inquire, consider, distribute, or disseminate information about an applicant's referral to, or participation in, a pretrial or post trial diversion program.
- Inquire, consider, distribute, or disseminate information regarding convictions which have been sealed, dismissed, expunged, or statutorily eradicated pursuant to law.
- Interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under Government Code Section 12952.

### **Exemptions**

This policy does not apply to positions for which a department is otherwise required by law to conduct a conviction history background check or to positions where the County is required by any local, State, or federal law to restrict employment based on criminal history. Such positions include, but are not limited to, positions within a criminal justice agency, as the term is defined by Penal Code Section 13101; or positions involving access to or care of children per Welfare and Institutions Code 16501. With regards to these positions, departments may continue to ask for conviction history information on the employment application form.

### **GUIDELINES**

#### **Positions Subject to Background Checks**

Local, State, and federal conviction history background information must be secured for new hires, rehires, reinstatements, current employees who transfer or are promoted to sensitive positions, as well as volunteers and contract personnel placed in sensitive positions. The following may be used as a guide to help determine when employees, applicants, volunteers, or contract personnel must be fingerprinted:

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<sup>1</sup> While the use of a CCHQ or similar form is not prohibited if used *after* a conditional offer of employment has been made to an applicant, such forms are neither required nor recommended for use and have been eliminated from the Live Scan and background check process.

**Subject: Designation of Sensitive Positions  
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- Applicants for unclassified executive positions (Department Heads, Departmental Human Resources Managers [DHRMs], and other executive positions in the DHRM's chain of command such as Administrative Deputy and Chief Deputy Director) will have local, State, and federal conviction background checks performed by DHR prior to appointment.
- All other current and prospective employees shall undergo the existing conviction background check process for local, State, and federal summary conviction history information.
- For promotional appointments, a new Live Scan shall be conducted on employees who have not previously received a Live Scan and/or do not have an active record with the DOJ in the promoting department.<sup>2</sup>
- For interdepartmental transfers, a new Live Scan of the employee shall be conducted, in order for the new department to receive *Subsequent Arrest Notifications* (An interdepartmental transfer refers to the change of an employee from a position in one department to another position in a different department pursuant to Civil Service Rule 15.02, *Interdepartmental transfers*).<sup>2</sup>
- For intradepartmental reassignments and transfers, the employee does **not** need a Live Scan again if the employee previously received a Live Scan and has an active record with the DOJ. However, the department must conduct a new evaluation if the employee has a conviction history to determine job suitability by comparing the nature of the offense(s) in relation to the duties of the new position.<sup>2</sup>
- Recurrent employees who are not on a reemployment list and temporary recurrent employees who work for the County on an ongoing basis shall receive a Live Scan.
- Volunteers and contract personnel subject to the conviction background check process, including the need for a Live Scan, are those who have sensitive position assignments in County facilities or sensitive positions outside, such as positions having remote access to medical and conviction information via electronic means.
- Volunteers and contract personnel who do not fall into designated sensitive positions do not need a Live Scan, unless otherwise required or necessary due to the proximity or risk to the public (e.g., public parks). Such non-sensitive positions may include contracts that relate to commodity agreements (e.g., supplies, equipment acquisitions, and deliveries), office equipment repair, short-term and/or supervised consultant or professional services (e.g., training), construction or Job Order Contracting, and facilities services (e.g., landscaping, pest control, asbestos abatement, and waste removal).

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<sup>2</sup> Currently, no *Subsequent Arrest Notifications* are available from the FBI. Should a department require current FBI conviction history information for employees changing jobs, a new Live Scan would be necessary.

**Subject: Designation of Sensitive Positions  
and Conviction History Assessments****Policy Number: 514  
Effective Date: October 1, 2018****Exempt Positions:**

- Compensated election personnel who work less than three (3) days per election.
- Minors under the age of 14; and at the discretion of the appointing power, minors 14 years of age and older who work under constant supervision of a permanent County employee.
- All volunteers who work less than three (3) days for each event or period of service.
- Elected officials.

**Designation of Sensitive Positions**

All departments shall maintain a list of all positions, volunteers, and contract personnel designated for conviction background checks for periodic review by DHR. To assist departments, DHR has established the following categories based on positions with similar work functions:

- Positions involving the care, oversight, or protection of persons through direct contact with such persons (e.g., Children's Social Worker, Home Nursing Attendant, Lifeguard, Juvenile Crew Instructor, Clinic Driver, Deputy Public Guardian).
- Positions with direct or indirect access to funds or negotiable instruments (e.g., Assistant Deputy Director, Chief Investment Officer, Finance Manager, Portfolio Manager, Deputy Purchasing Agent, Cashier).
- Positions requiring state and/or professional licensing (e.g., Attorney, Physician, Registered Nurse, Certified Public Accountant, Pharmacist, Physical Therapist).
- Positions involving public safety and/or law enforcement (e.g., Deputy Sheriff, Safety Police Officer, Probation Officer, Public Health Investigator, Environmental Health Specialist).
- Positions with access to or charge for drugs or narcotics (e.g., Pharmacist, Pharmacist Technician, Pharmacy Helper, Physician, Registered Nurse).
- Positions with access to confidential or classified information including conviction information (e.g., Departmental Human Resources Manager, Welfare Fraud Investigator, Psychiatric Social Worker).
- Positions involving the care, oversight, or protection of County, public, or private property (e.g., Estate Property Custodian, Golf Course Manager, Warehouse Worker).

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### **Additional Categories**

Each appointing authority may establish additional categories of sensitive positions based on this policy, with the approval of the Director of Personnel.

The following information is required to be submitted upon request to the Director of Personnel on all mandatory sensitive positions:

- Listing of all classifications
- Organizational unit where such positions work
- Documentation regarding prior approval

The following information is required to be on file with the DHRM of the department for each position:

- Title of position
- Duties of position
- Offenses which are incompatible with the responsibilities of the position
- A description of the relationship between the offenses and job performance adequate to justify securing conviction records

Compliance with these procedures is subject to audit by the DOJ and DHR. DHR will assist departments with any questions regarding confidentiality and security of conviction information. Any questions regarding policies and procedures on placing persons in sensitive positions should be referred to DHR's Central Live Scan Unit.

### **Potentially Disqualifying Job-Related Offenses**

The following listing of offenses are those, which under certain conditions, may be incompatible with specific work functions. These lists shall be used as a guideline to help determine which offenses are related to the duties of sensitive positions.

#### **1. Function – Care, Oversight, or Protection of Persons Through Direct Contact with Such Persons**

- |  |                              |                |
|--|------------------------------|----------------|
| • Assault  | • Drug or Narcotics Offenses | • Embezzlement |
| • Forgery  | • Fraud                      | • Homicide     |
| • Intoxication   | • Kidnapping                 | • Manslaughter |
| • Receiving Stolen Property                                      | • Robbery                    | • Theft        |
| • Human Trafficking  |                              |                |
| • Sex Offenses Involving Victims (e.g., Rape, Child Molestation) |                              |                |

#### **2. Function – Direct or Indirect Access to Funds or Negotiable Instruments**

- |                             |                |           |
|-----------------------------|----------------|-----------|
| • Bribery                   | • Embezzlement | • Forgery |
| • Fraud                     | • Theft        | • Robbery |
| • Receiving Stolen Property |                |           |

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3. Function – Requirement of State and/or Professional Licensing

Violation of any certification or licensing provisions relating to duties of the position in question may also be the basis for disqualification.

4. Function – Public Safety or Law Enforcement

- Assault
- Drug or Narcotics Offenses
- Embezzlement
- Forgery
- Fraud
- Homicide
- Intoxication
- Kidnapping
- Robbery
- Human Trafficking
- Theft
- Sex Offenses Involving Victims (e.g., Rape, Child Molestation)

5. Function – Access to or Charge for Drugs or Narcotics

- Drug or Narcotics Offenses
- Embezzlement
- Forgery
- Fraud
- Robbery
- Theft
- Receiving Stolen Property

6. Function – Access to Confidential or Classified Information Including Conviction Information

- Extortion
- Forgery
- Fraud
- Perjury
- Receiving Stolen Property
- Robbery
- Theft

7. Function – Charge of or Access to County, Public, or Private Property

- Embezzlement
- Receiving Stolen Property
- Robbery
- Theft

**Hiring Standards**

After making a contingent offer of employment, please refer to the “Steps Involved When Conducting Conviction History Assessments” in the “Procedures” section below. If conviction history exists, departments must conduct an individualized assessment regardless of the type of conviction. As such, no conviction is automatically disqualifying without first conducting an individualized assessment. The assessment should examine whether the conviction history has a direct or adverse relationship with the specific duties of the job applied for, and must consider potential mitigating factors, including, but not limited to, evidence and extent of rehabilitation, and the time that has passed since the criminal conviction.

A verified conviction for workers’ compensation fraud or human trafficking would be disqualifying after the initial and reassessment is made per the procedures below, but departments should first consult with County Counsel to confirm that the specific conviction is indeed covered under County Code 5.12.110, *Disqualification from County Employment*.

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An individualized assessment must be conducted prior to the effective date of appointment. The appointment shall be after a conditional offer of employment has been extended to the applicant, contingent upon the results of a background check and medical evaluation (where required). No new employee may begin employment, nor may any current employee's promotional appointment be considered final until the results of the background check are obtained and reviewed by the appropriate hiring authority. All new contract personnel and volunteers may not begin their assignments until the results of the background check are obtained and reviewed by the appropriate persons or entities.

Persons with convictions may still be placed in a sensitive position for which they qualify. Each case should be individually assessed and evaluated based on the following criteria:

- Nature and gravity of the conviction;
- Time that has passed since the conviction and completion of sentence;
- The facts or circumstances surrounding the conviction;
- Nature of job held or sought;
- The number of offenses for which the individual was convicted;
- Evidence showing the applicant performed similar type of work after the conviction with no known incidents of additional criminal conduct;
- The length and consistency of employment history before and after the conviction;
- Evidence of rehabilitation (e.g., education, training, or other evidence of rehabilitation) by the applicant;
- Employment or character references and any other information regarding fitness for the particular position;
- Evidence challenging accuracy of the conviction history report that forms the basis for rescinding a conditional offer of employment; and
- The level of potential risk and impact posed to the department, the County, and members of the public based on the individual's documented conviction history when compared to mitigating factors.

## **PROCEDURES**

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### **Steps Involved When Conducting Conviction History Assessments**

Departments shall use the *Individual Conviction Assessment/Reassessment Form* (Attachment A), developed by DHR, for details on how to perform and document conviction history assessments.

The following are steps involved in the review of conviction history (please refer to flow chart in Attachment B):

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1. After making contingent job offer, schedule candidate/volunteer/contract personnel, for Live Scan.
2. Conduct Live Scan.
3. Review Criminal Offender Record Information (CORI) and initiate an individualized conviction history assessment utilizing the *Individual Conviction Assessment/Reassessment Form*. If the CORI reveals that the individual does not have a conviction history, proceed with established hiring procedures. If the CORI reveals that the individual has a conviction history, proceed to step 4.
4. Obtain and review court records for all conviction history information reported on the CORI. Please note: In accordance with PPG 120, with limited exceptions, departments cannot consider convictions which have been exempted by a valid court order, or judicially dismissed or pardoned pursuant to law. This includes, but is not limited to, Penal Code Sections 1203.4, 1203.4(a), 1203.45 and 1210.1. Court records do not need to be certified to make job suitability determinations unless the department plans to take administrative action or an individual challenges an employment decision.
5. Conduct an individualized assessment utilizing the *Individual Conviction Assessment/Reassessment Form* (Attachment A). Incorporate departmental and County hiring standards in policy when conducting the assessment. If the assessment reveals that the individual's conviction history does not provide a basis for rescinding a conditional offer of employment, proceed with established hiring procedures. If the individualized assessment reveals that the individual's conviction history may result in a rescission of a conditional offer of employment, proceed to step 6.
6. Expediently send the individual a Notice of *Preliminary Decision to Rescind Conditional Employment Offer Based on Disqualifying Convictions* (Attachment C). The letter must contain the following:
  - a. Notice of the disqualifying conviction(s) that form the basis for the preliminary decision to rescind the conditional job offer;
  - b. A copy of all conviction information used as the basis to disqualify the applicant (CORI, Minute Orders, etc.); and
  - c. An explanation of the applicant's right to respond to the preliminary notice before the preliminary decision becomes final and the deadline for responding. The explanation shall inform the applicant that the response may include submission of evidence challenging the accuracy of the conviction history report that was the basis for rescinding the offer, evidence of rehabilitation or mitigating circumstances, or both. To assist the individual, the department should include a sample response form letter (see attachment "D").

The *Notice of Preliminary Decision to Rescind Conditional Employment Offer Based on Disqualifying Convictions* must allow the individual at least five (5) business days from the date of the notification to respond before the department makes a final

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determination. If, within the five (5) business days, the applicant notifies the department of her/his intent to dispute the accuracy of the criminal conviction information used as the basis for the preliminary decision to rescind the offer and that she/he is taking specific steps to obtain evidence supporting that assertion, the department shall provide an extension of an additional five (5) business days for the applicant to respond to the notification.

### **Steps Involved When Conducting Conviction History Reassessments**

7. If an applicant submits additional information in response to the *Notice of Preliminary Decision to Rescind Offer Based on Disqualifying Convictions*, the department must consider the information and conduct an individualized reassessment of any information received from the applicant. The reassessment must include a review of any evidence submitted. A reassessment must be conducted based on the totality of the facts and circumstances, including the conviction history information gathered by the department, evidence challenging the accuracy of the conviction history information, and evidence of rehabilitation or mitigating circumstances.

If the reassessment does not result in a rescission of a conditional offer of employment, send the *Notice of Restoration of Conditional Employment Offer* (Attachment E) and proceed with established hiring procedures. If the reassessment results in a decision to rescind a conditional offer of employment, proceed to step 8.

If an applicant does not submit a written response within the allotted time and does not request additional time for such a response, the Department can proceed with a final decision to rescind the conditional offer of employment as noted in step 8.

If this assessment is due to a subsequent arrest or conviction of an existing employee, a review and analysis of the individual's County work history should be conducted. Some factors to consider are as follows:

- Work history (positive and negative) as documented in the *Official Personnel File* (e.g., performance evaluations, length of service, prior disciplinary actions, and commendations).
  - Level of responsibility and scope of authority in their current position.
  - Impact on the department's mission and service objectives.
8. Once a final decision has been made to rescind a conditional offer of employment because of an applicant's criminal history, the department must send written notice to the candidate rescinding the conditional offer of employment as detailed in the "Appeal Rights" section.



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For applicants whose conditional offers of employment are rescinded based on conviction history information, their name shall remain on the eligible list or register for consideration to other positions that may have different job nexus criteria. For example, an applicant on an eligible list who is disqualified for a Driving Under the Influence (DUI) conviction for a position that requires driving may still be considered for a position where driving is not an essential function of the position. Although some classifications are shared by several departments, any individualized assessment of an applicant must be conducted based on the specific factors relevant to the position in the hiring department. Since an individualized assessment by one department would not follow the applicant to another department, the applicant's name must remain on the eligible list or register for consideration by other departments.

### **Appeal Rights**

If, after having conducted an individualized reassessment of any information received from an applicant or if no information is received from an applicant after having received notice and sufficient time to submit that information, a department makes a final decision to rescind a conditional offer of employment because of the applicant's conviction history, the department must notify the applicant in writing by utilizing the *Notice of Final Decision to Rescind Conditional Employment Offer Based on Disqualifying Convictions* (Attachment F or G), which includes the following appeal rights language:

If you can show that an error has been made in determining your eligibility based on the conviction history information, you may file an appeal with the Department of Human Resources. The appeal must be in writing and provide specific facts and information, which demonstrate where the error occurred. Any appeal that fails to contain such information will be denied as insufficient. The appeal must be received by the Appeals Program within ten (10) business days from the postmark date on the envelope in which this notice was mailed, or from the date an electronic notification was sent, by using this web address: <https://eappeals.lacounty.gov/dashboard/>. For technical support related to online appeal submissions go to <http://apps.hr.lacounty.gov/eAppeal/>.

### **Notice Of Right To File A Complaint With DFEH**

Any individual who has his or her conditional offer of employment rescinded based on conviction history information must also be notified in writing of his or her right to file a complaint with the California Department of Fair Employment and Housing (DFEH) by utilizing the *Notice of Final Decision to Rescind Conditional Employment Offer Based on Disqualifying Convictions* (Attachment F or G), which includes the following language:

You also have the right to file a complaint with the California Department of Fair Employment and Housing (DFEH). For assistance on how to submit a complaint with DFEH, please visit their website at <https://www.dfeh.ca.gov/complaint-process/> or you may contact them at:

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- Communication Center at (800) 884-1684 or TTY at (800) 700-2320 or California's Relay Service at 711
- Email: [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov)
- Mailing address:
  - DFEH Headquarters  
2218 Kausen Drive, Suite 100  
Elk Grove, CA 95758

### **Conviction History Assessments Record Keeping**

Departments are responsible for maintaining records of all individualized assessments. At a minimum, departmental records should include and track the following metrics:

- Number of preliminary individualized assessments
  - Number of preliminary assessments deemed acceptable
  - Number of preliminary assessments deemed unacceptable
    - Position applied for
    - Convictions
- Number of reassessments
  - Number of reassessments deemed acceptable
    - Position applied for
    - Convictions
    - CORI or Court Record Error
    - Evidence of Rehabilitation Provided
  - Number of reassessments deemed unacceptable
    - Position applied for
    - Convictions
    - CORI or Court Record Error
    - Evidence of Rehabilitation Provided
- Copies of completed Individual Conviction Assessment/Reassessment Forms

### **Privacy Issues**

Penal Code Sections 11105(b)(10) and 13300(b)(10) identify who may have access to conviction history information and under what circumstances it may be released. California law requires conviction information be released only to those persons with a legitimate need to know and only at the time they require such knowledge. Further, unauthorized disclosure of conviction history information is punishable as a crime.

### **DEFINITIONS**

*Applicant* – Refers to any person who applies for employment, including a current employee applying for a different position within the County.

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*Background Check* – The act of reviewing both confidential and public information to investigate a person's or entity's history. Background checks are commonly performed by employers to ensure that: (1) an employee is who they say they are, and (2) to determine that the individual does not have a damaging history (such as criminal activity) that may reflect poorly on the County or department.

*Criminal Offender Record Information (CORI)* – State summary criminal background information identified through fingerprint submission to the DOJ. It is confidential information disseminated to applicant agencies authorized by California statute for the purposes of employment, licensing, certification, and volunteer clearances.

*Individualized Assessment* – An analysis of whether an applicant's conviction history has a direct and adverse relationship with the specific duties of the job applied for that may justify rescinding a conditional offer of employment.

*Live Scan* – A computer-based device allowing for the capture of digitized fingerprint images and applicant data, and the electronic transmission of fingerprint images and data to centralized computers at the DOJ.

*Summary Criminal History* – A list of arrests and convictions provided by the DOJ. Information is added to the summary conviction history any time law enforcement conducts a criminal investigation. The history lists arrest information such as the date, the charges, and the final disposition (what happened). The history also lists all convictions, including the date of the conviction, the charges, the sentence, and whether the crime was a felony or a misdemeanor.

## **AUTHORITY**

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- November 10, 1998, Resolution of the Board of Supervisors declaring its intention to provide for the access of conviction history information for employment in sensitive positions.
- August 4, 2009, Resolution of the Board of Supervisors providing authority to expand access to summary conviction history information at the State and local-level to the federal-level for employment purposes.
- March 12, 2013, Board of Supervisors approval regarding the expansion of the conviction background check program to include recommendations from the Live Scan Feasibility Report.
- July 11, 2017, Resolution of the Board of Supervisors to develop a Fair Chance Ordinance establishing guidelines on how to reduce employment barriers to applicants with convictions.
- Appendix 1 of Title 5 of the County Code, Civil Service Rules 6.04 and 6.07.
- California Government Code Section 12952.
- California Labor Code Section 432.7.

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- California Penal Code Sections: 1203.4, 1203.4(a), 1203.45, 1210.1, 11102.2, 11105, 11105(b)(10), 11105.2(g), 11140, 11142, 11143, 13101, 13300(b)(10).
- California Welfare and Institutions Code section 16501.
- Policy, Procedure, and Guideline 524, *Live Scan Procedures*.

**DATE ISSUED/REVIEW DATE**

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Original Issue Date: Memo issued on November 25, 1998

Review Date: Memo issued on November 2, 2007

Review Date: October 1, 2018



ATTACHMENT A

**COUNTY OF LOS ANGELES – DEPARTMENT OF HUMAN RESOURCES**  
 INDIVIDUAL CONVICTION ASSESSMENT/REASSESSMENT FORM

**PART I. PRELIMINARY INDIVIDUAL CONVICTION ASSESSMENT**

**A. REASON FOR CONVICTION HISTORY ASSESSMENT (Per DHR PPG 514)**

- |   |   |
|---|---|
| <input type="checkbox"/> New Hire to Sensitive Position                   | <input type="checkbox"/> Reinstatement to Sensitive Position      |
| <input type="checkbox"/> Promotion to Sensitive Position                  | <input type="checkbox"/> Volunteer in Sensitive Position          |
| <input type="checkbox"/> Interdepartmental Transfer to Sensitive Position | <input type="checkbox"/> Contract Personnel in Sensitive Position |
| <input type="checkbox"/> Intradepartmental Transfer to Sensitive Position | <input type="checkbox"/> Subsequent Arrest/Conviction             |

**B. APPLICANT/EMPLOYEE INFORMATION**

Applicant Last Name:		First Name:	
Middle Name:		Date of Birth:	
Employee Number:		Volunteer/Contract Personnel Number:	

**C. POSITION INFORMATION**

Department Name:		Dept. #:	
Division:		Section:	
Classification Title:		Item #:	
Exam Number:		Date of Conditional Offer:	

**D. DOJ RELATED INFORMATION**

Date of Live Scan:		Date of DOJ Report:		Date of FBI Report:	
Date DOJ/FBI Results Reviewed:					

**E. COURT RECORD INFORMATION**

Conviction Date	Violation Code	Violation Title	Conviction Type/ Court Disposition	Court Name	Sentence Imposed

**If no court documents obtained to verify conviction(s) reported by DOJ/FBI, were the court records:**

- Archived  Destroyed  Other, Explain: \_\_\_\_\_

**F. PRELIMINARY INDIVIDUALIZED ASSESSMENT**

Does the preliminary conviction history information obtained cover/impact any of the "Work Functions" listed below?

- No, Proceed to Part IV, Final Decision.  Yes, select the offense(s) listed on the DOJ report under the corresponding "Work Function(s)" below, to link the specific aspects of the applicant's conviction history with the "Work Function(s)" of the position.

**CONFIDENTIAL INFORMATION**

Originated: 11/30/17 Revised: 10/01/18

Developed by the County of Los Angeles - Department of Human Resources



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**ASSESSMENT OF WORK FUNCTIONS**

**Work Function #1**

*Care, Oversight, or Protection of Persons Through Direct Contact with Such Persons (e.g., Physician, Nurse, Clinical Social Worker, etc.).*

- Assault
- Drug or Narcotics Offenses
- Embezzlement
- Elder/Child Abuse
- Fraud
- Homicide
- Intoxication
- Kidnapping
- Manslaughter
- Robbery
- Receiving Stolen Property
- Theft
- Threat
- Weapons Offense
- Sex offenses which involve victims (e.g., rape, child molestation)

Other (Explain) \_\_\_\_\_

**Work Function #3**

*Requirement of State and/or Professional Licensing (e.g., Registered Nurse, Physician, Optometrist, Pharmacist, Physical Therapist, etc.).*

- Assault
- Threat
- Violation of any certification or licensing provisions relating to duties of the position in question may also be the basis for disqualification.
- Other (Explain) \_\_\_\_\_
- Drug or Narcotics Offenses
- Weapons offense

**Work Function #5**

*Access to or Charge for Drugs or Narcotics (e.g., Pharmacist Tech, Pharmacy Helper, Physician, Registered Nurse, Clinical Pharmacist, etc.).*

- Assault
- Drug or Narcotics Offenses
- Embezzlement
- Forgery
- Fraud
- Receiving Stolen Property
- Other (Explain) \_\_\_\_\_
- Robbery
- Theft
- Threat
- Weapons Offense

**Work Function #7**

*Charge of or Access to County, Public or Private Property (e.g., Warehouse Worker, Custodian, Materials Manager, Facilities Manager, etc.).*

- Assault
- Embezzlement
- Weapons Offense
- Theft
- Threat
- Drug or Narcotics Offenses
- Receiving Stolen Property
- Other (Explain) \_\_\_\_\_
- Robbery

**Work Function #2**

*Direct or Indirect Access to Funds or Negotiable Instruments (e.g., Assistant Deputy Director, Finance Manager, Cashier, etc.).*

- Assault
- Bribery
- Drug or Narcotics Offenses
- Threat
- Forgery
- Fraud
- Received stolen property
- Robbery
- Theft
- Embezzlement
- Weapons offense
- Other (Explain) \_\_\_\_\_

**Work Function #4**

*Public Safety or Law Enforcement (e.g., Environmental Health Specialist, Public Health Investigator, etc.).*

- Assault
- Drug or Narcotics Offenses
- Forgery
- Fraud
- Homicide
- Intoxication
- Kidnapping
- Robbery
- Theft
- Embezzlement
- Threat
- Weapons Offense
- Sex offenses which involve victims (e.g., rape child molestation)
- Other (Explain) \_\_\_\_\_

**Work Function #6**

*Access to Confidential or Classified Information, Including Conviction Information (e.g., Personnel Officer, Systems Analyst, Patient Resources Worker, Eligibility Worker, etc.).*

- Assault
- Computer crimes
- Drug or Narcotics Offenses
- Extortion
- Forgery
- Fraud
- ID Theft
- Perjury
- Receiving Stolen Property
- Robbery
- Theft
- Threat
- Weapons Offense
- Other (Explain) \_\_\_\_\_

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 INDIVIDUAL CONVICTION ASSESSMENT/REASSESSMENT FORM

**ADDITIONAL INDIVIDUALIZED ASSESSMENT FACTORS**

**G. Gravity of the offense(s).**

Applicant / Employee Was:

- |  |   |
|--|---|
| <input type="checkbox"/> Incarcerated        | <input type="checkbox"/> Suspended Sentence                                 |
| <input type="checkbox"/> Placed on probation | <input type="checkbox"/> Granted certificate of Rehabilitation (date) _____ |
| <input type="checkbox"/> Fined \$ _____      | <input type="checkbox"/> Pardoned (date) _____                              |
| <input type="checkbox"/> Community Service   | <input type="checkbox"/> Other _____  |

**H. Recency of the offense(s).** Use the information below to identify the particular facts and circumstances of each conviction that is linked to the "Work Functions" of the position.

Date of conviction (mm/dd/yyyy): \_\_\_\_\_

Length of time since successful completion of the sentence: \_\_\_ year(s) \_\_\_ month(s) \_\_\_ day(s)

Length of time since the offense or conduct occurred: \_\_\_ year(s) \_\_\_ month(s) \_\_\_ day(s)

**I. Extent of conviction record.**

Was the offense/conviction a single incident?  Yes  No

-OR-

Were there numerous similar incidents/convictions?  Yes  No

**PART II. PRELIMINARY ASSESSMENT DECISION**

**Acceptable**

- No Job Nexus. Mail **Formal Job Offer** letter.
- No Job Nexus. Provide written notice informing existing employee of suitability for continued employment.
- Job Nexus exists, but mitigated by other relevant factors. Mail **Formal Job Offer** letter.
- Job Nexus exists, but mitigated by other relevant factors. Provide written notice informing existing employee of suitability for continued employment.

**Unacceptable**

- Job Nexus exists for applicant. Mail **Letter Intending to Rescind Conditional Offer of Employment**.
- Job Nexus exists for current employee – *Contact DHR Civil Service Advocacy Division and/or County Counsel's Labor & Employment Division for consultation on further administrative action required, if any.*)

**CONFIDENTIAL INFORMATION**

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INDIVIDUAL CONVICTION ASSESSMENT/REASSESSMENT FORM

**PART III. REASSESSMENT (WRITTEN RESPONSE INFORMATION)**

Date of Letter Intending to Rescind Contingent Employment Offer (mm/dd/yyyy): \_\_\_\_\_

Did Applicant / Employee Respond Timely?  Yes  No

Date of Response (mm/dd/yyyy): \_\_\_\_\_

**Evidence challenging the accuracy of the conviction history report:**

\_\_\_\_\_  
\_\_\_\_\_

**Evidence of rehabilitation or mitigating circumstances:**

\_\_\_\_\_  
\_\_\_\_\_

Date Reassessment Completed (mm/dd/yyyy): \_\_\_\_\_

**PART IV. FINAL DECISION**

**Acceptable**

- No Job Nexus. Mail **Letter of Final Determination** to Applicant.
- No Job Nexus. Provide written notice informing existing employee of suitability for continued employment.
- Job Nexus exists, but mitigated by other relevant factors. Mail **Letter of Final Determination** to Applicant.
- Job Nexus exists, but mitigated by other relevant factors. Provide written notice informing existing employee of suitability for continued employment.

**Unacceptable**

- Job Nexus exists and not mitigated by other relevant factors. Mail **Letter Rescinding Contingent Employment Offer**.
- Job Nexus exists and not mitigated by other relevant factors. Employee is **not** suitable to continue in current position and/or County employment per Civil Service Rule 18.031. (**NOTE: Contact DHR Civil Service Advocacy Division and/or County Counsel's Labor & Employment Division for consultation on further administrative action required, if any.**)
- Other (*Explain*) \_\_\_\_\_

**CONFIDENTIAL INFORMATION**

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ATTACHMENT A

**COUNTY OF LOS ANGELES – DEPARTMENT OF HUMAN RESOURCES**  
 INDIVIDUAL CONVICTION ASSESSMENT/REASSESSMENT FORM

**PART V. CERTIFICATION**

**Human Resources**

**Analysis and notification of determination to Hiring Manager (e.g., Director, Sr. Manager, Program Head, etc.) made by:**

<b>Name &amp; Title Human Resources Division</b>	<b>Telephone Number</b>	<b>Date</b>	<b>Signature</b>

**Analysis and determination approved by (Departmental Human Resources Manager or Designee):**

<b>Human Resources Manager or Designee</b>	<b>Telephone Number</b>	<b>Date</b>	<b>Signature</b>

**Hiring Manager**

**The Human Resources Division has notified me of their determination:**

<b>Executive Level Manager or Hiring Manager (Name &amp; Title)</b>	<b>Facility</b>	<b>Telephone Number</b>	<b>Date</b>	<b>Signature</b>

**AUTHORITY**

- **DHR Policies, Procedures, and Guidelines No. 514**
- **DHR Policies, Procedures, and Guidelines No. 120**
- **DHR Policies, Procedures, and Guidelines No. 524**
- **Civil Service Rule 18**
- **County Code Section 5.12.110**

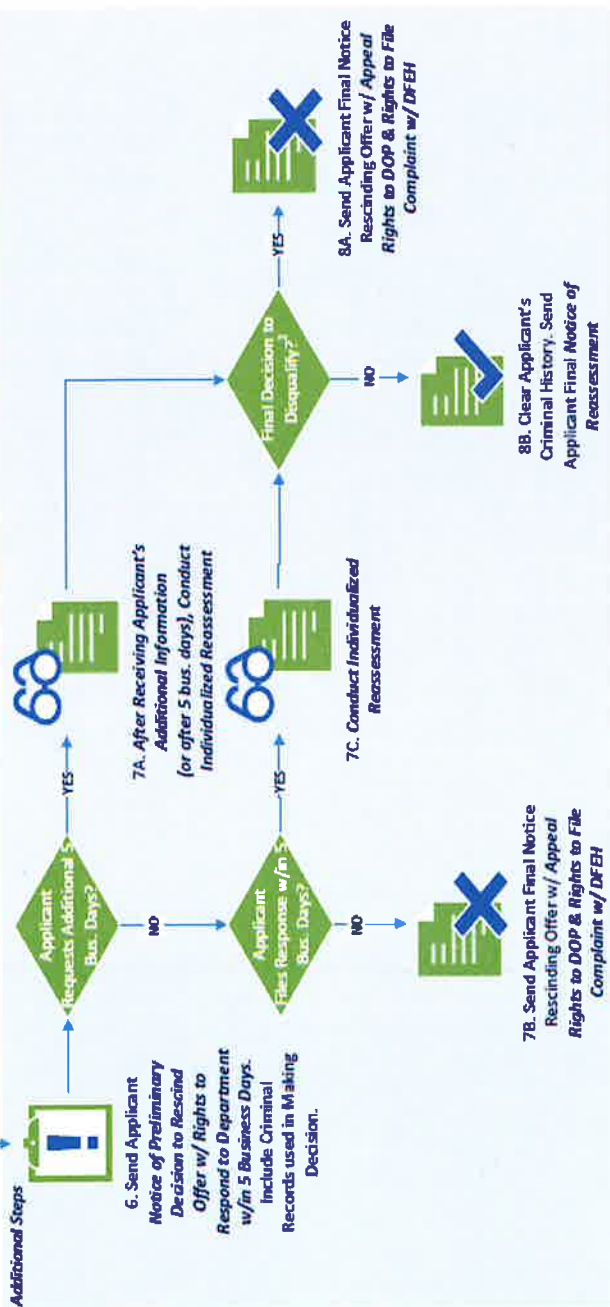
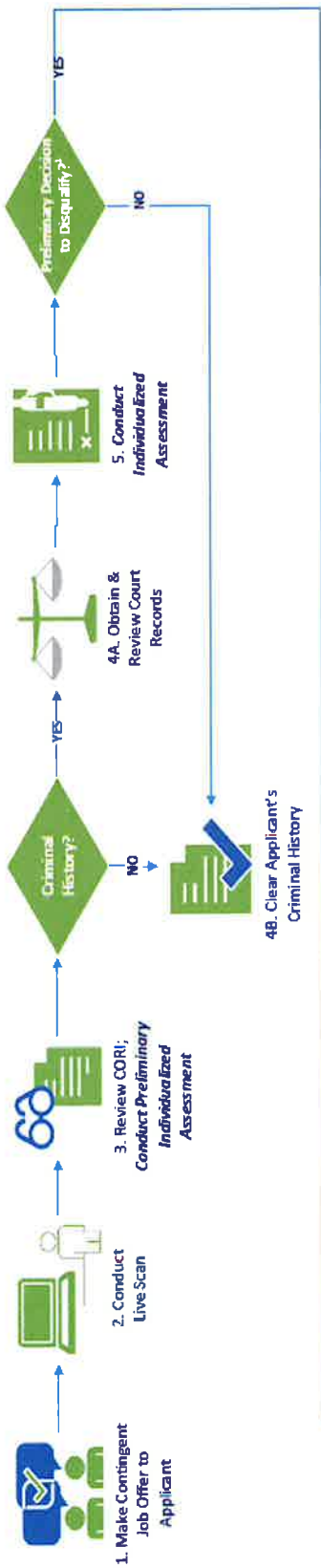
**CONFIDENTIAL INFORMATION**

*Originated: 11/30/17 Revised: 10/01/18*

Developed by the County of Los Angeles - Department of Human Resources

October 1, 2018

**Criminal Background Flowchart – Process**



<sup>1</sup>Factors to consider should include:

- Nature and gravity of the offense or conduct.
- Time that has passed since the offense or conduct and completion of the sentence.
- Nature of the job held or sought.

<sup>2</sup>Factors to consider should include:

- Evidence challenging the accuracy of the conviction history report that forms the basis for rescinding the offer.
- Evidence of rehabilitation or mitigating circumstances.

ATTACHMENT C

## Department Letterhead

**CONFIDENTIAL****NOTICE OF PRELIMINARY DECISION  
TO RESCIND CONDITIONAL EMPLOYMENT OFFER  
BASED ON DISQUALIFYING CONVICTION(S)**

Date

Candidate Name  
XXXX Drive Street  
Los Angeles, CA 90010

Dear Mr./Ms. XXXXXX:

The County of Los Angeles Department of XXXXXXXX (Department) intends to rescind the conditional offer of employment you received for the position of \_\_\_\_\_. This preliminary decision was made after conducting an individualized assessment of your conviction history compared with the duties and responsibilities of the position of \_\_\_\_\_. The attached conviction history report and court records detail the following conviction(s), which serve as the basis for the Department's preliminary decision to rescind the conditional offer of employment.

- [List conviction(s)]

You have the right to respond to this notice before the decision becomes final. If you decide to respond, you may submit evidence challenging the accuracy of your conviction history report, evidence and extent of rehabilitation, or other mitigating circumstances. Your request must be made ***in writing and must be received at the following address within five (5) business days from the postmark date on the envelope in which this notice was mailed:***

Department of XXXXX  
NAME  
TITLE  
ADDRESS

To ensure your response is considered timely, please include a copy of the postmarked envelope you received with this notice with your response.

Applicant Name  
DATE  
Page 2

ATTACHMENT C

If you notify the Department in writing within five (5) business days from the postmark date of this notice that you dispute the accuracy of the conviction history report and are taking specific steps obtain evidence supporting that assertion, you will be given an additional five (5) business days to respond. Enclosed with this notice is a sample response form that can be used when responding.

If the Department receives your response in a timely manner, the Department will consider the information before making a final decision. You will be notified in writing of the Department's final decision based on all of the information, including the Department's review of any reasons, facts and/or documentation which is timely submitted.

If you have questions or require additional information about this notification, please contact [Department Contact Name], at (xxx) xxx-xxxx.

Sincerely,

[DHRM Signature]  
Departmental Human Resources Manager

Attachments

ATTACHMENT C

To: Department of XXXXX  
Human Resources Manager  
Address  
Los Angeles, CA 90012

From: Candidate Name  
XXXX Drive Street  
Los Angeles, CA 90010

Dear Mr./Ms. XXXXXX:

I received the notification that the County of Los Angeles Department of XXXXXXXX (Department) intends to rescind the conditional offer of employment for the position of \_\_\_\_\_. I reviewed the conviction history report provided with the notification. This is to request the following:

- I am taking specific steps to obtain evidence and therefore need an additional five (5) business days to respond.

The specific steps I am taking are as follows\*:

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- I don't need an additional five (5) business days but want the department to reassess my application based on the following\*:

Evidence challenging the accuracy of the conviction history report:

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Evidence of rehabilitation or mitigating circumstances:

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**\* Submit additional documents/evidence as needed.**

**CERTIFICATION OF APPLICANT (please read carefully):** I hereby certify that all statements made in this response are true and complete to the best of my knowledge. I understand that any false, incomplete or incorrect statement, regardless of when discovered, may result in my disqualification or dismissal from employment with the County of Los Angeles.

**Date:** \_\_\_\_\_ **Signature of Applicant:** \_\_\_\_\_

ATTACHMENT D

Department Letterhead

**IMPORTANT: This form seeks only to collect additional relevant information that allows an opportunity to provide evidence or documentation regarding the accuracy of your conviction history report; evidence of rehabilitation, or mitigating factors surrounding your conviction history to reassess your compatibility for this position.**

<b>Position Applying for: (Exact Title)</b>					
Last Name		First Name		Middle Initial	
Other Name(s) Used:					
Street Address			Apt. No.	Home Telephone Number ( ) -	
City		State	Zip Code	Alternate Telephone Number ( ) -	
E-mail Address					
<b>REASON(S) FOR CHALLENGING PRELIMINARY ASSESSMENT:</b>					
<input type="checkbox"/> I am challenging the accuracy of the conviction history report.					
Conviction Date	Violation Code	Conviction Type	Court Disposition	Type of Error	Evidence of Current Status (e.g., <i>judicially dismissed, pardoned, exempted etc.</i> )
<input type="checkbox"/> I ask that you consider the following evidence demonstrating rehabilitation.					
<b>CERTIFICATION OF APPLICANT (please read carefully):</b> I hereby certify that all statements made are true and complete to the best of my knowledge. I understand that any false, incomplete or incorrect statement, regardless of when discovered, may result in my disqualification or dismissal from employment with the County of Los Angeles.					
Date: _____ Signature of Candidate: _____					

**Please attach additional pages if necessary.**

ATTACHMENT E

## Department Letterhead

**CONFIDENTIAL**

Date:

Applicant Name  
XXXX Drive Street  
Los Angeles, CA 90010

Dear Mr./Ms. XXXXXX:

**NOTICE OF RESTORATION OF CONDITIONAL EMPLOYMENT OFFER**

On \_\_\_\_ [DATE] \_\_\_\_, the County of Los Angeles Department of XXXXXXXX (Department) notified you of its preliminary decision to rescind the conditional offer of employment you received for the position of \_\_\_\_\_. You were informed of your right to respond before the decision became final and that you would be notified in writing of the Department's final decision based on all of the information submitted timely.

On DATE, the Department received your response, including evidence challenging the accuracy of your conviction history report, extent of rehabilitation, and/or other mitigating circumstances. The Department has reviewed and considered your response.

Based on all of the information available, including reasons, facts and/or documentation that you submitted, the Department is restoring the conditional offer of employment you received for the position of \_\_\_\_\_. Our [Human Resources Office] will contact you with information regarding next steps.

Thank you for your interest in employment with our Department. If you have any questions or require additional information, please contact [Department Contact Name], at (xxx) xxx-xxxx.

Sincerely,

Name  
Departmental Human Resources Manager

## ATTACHMENT F

## Department Letterhead

**CONFIDENTIAL**

Date:

Applicant Name  
XXXX Drive Street  
Los Angeles, CA 90010

Dear Mr./Ms. XXXXXX:

**NOTICE OF FINAL DECISION TO RESCIND CONDITIONAL EMPLOYMENT  
OFFER BASED ON DISQUALIFYING CONVICTION(S)**

On DATE, the County of Los Angeles Department of XXXXXXXXX (Department) notified you of its preliminary decision to rescind the conditional offer of employment you received for the position of \_\_\_\_\_. You were informed of your right to respond before the decision became final and that you would be notified in writing of the Department's final decision based on all of the information submitted timely.

To date, the Department has not received a response from you. You have also not informed the Department that you require additional time to gather evidence to respond to the preliminary decision to rescind the conditional offer of employment.

Since you did not submit a written response within the allotted time and did not request additional time for such a response, the Department has made a final decision to rescind the conditional offer of employment you received for the position of \_\_\_\_\_. You may appeal the Department's decision as indicated below.

**APPEAL RIGHTS:**

If you can show that an error was made in determining your eligibility based on the conviction history information, you may file an appeal with the Department of Human Resources. The appeal must be in writing and provide specific facts and information, which demonstrate where the error occurred. Any appeal that fails to contain such information will be denied as insufficient. The appeal must be received by the Appeals Program within ten (10) business days from the postmark date on the envelope in which this notice was mailed, or from the date an electronic notification was sent, by using this web address: <https://eappeals.lacounty.gov/dashboard/>. For technical support related to online appeal submissions go to <http://apps.hr.lacounty.gov/eAppeal/>.



Applicant Name  
DATE  
Page 2

ATTACHMENT F

You also have the right to file a complaint with the California Department of Fair Employment and Housing (DFEH). For assistance on how to submit a complaint with DFEH, please visit their website at <https://www.dfeh.ca.gov/complaint-process/> or you may contact them as follows:

- By Telephone: Communication Center at 800-884-1684 (voice), 800-700-2320 (TTY) or California's Relay Service at 711
- By E-mail: [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov)
- By Mail: DFEH Headquarters, 2218 Kausen Drive, Suite 100, Elk Grove, CA 95758.

We thank you for your interest in employment with our Department. The County of Los Angeles is a Fair Chance employer and you are encouraged to apply for other positions by visiting [www.hr.lacounty.gov](http://www.hr.lacounty.gov).

Sincerely,

Name  
Departmental Human Resources Manager

## Department Letterhead

### **CONFIDENTIAL**

Date:

Applicant Name  
XXXX Drive Street  
Los Angeles, CA 90010

Dear Mr./Ms. XXXXXX:

#### **NOTICE OF FINAL DECISION TO RESCIND CONDITIONAL EMPLOYMENT OFFER BASED ON DISQUALIFYING CONVICTION(S)**

On DATE, the County of Los Angeles Department of XXXXXXXXX (Department) notified you of its preliminary decision to rescind the conditional offer of employment you received for the position of \_\_\_\_\_. You were informed of your right to respond before the decision became final and that you would be notified in writing of the Department's final decision based on all of the information submitted timely.

On DATE, the Department received your response, including evidence challenging the accuracy of your conviction history report, extent of rehabilitation, and/or other mitigating circumstances. The Department has reviewed and considered your response.

Based on the information reviewed by the Department, including the reasons, facts and documentation that you submitted, the Department has made a final decision to rescind the conditional offer of employment you received for the position of \_\_\_\_\_. You may appeal the Department's decision as indicated below.

#### **APPEAL RIGHTS:**

If you can show that an error was made in determining your eligibility based on the conviction history information, you may file an appeal with the Department of Human Resources. The appeal must be in writing and provide specific facts and information, which demonstrate where the error occurred. Any appeal that fails to contain such information will be denied as insufficient. The appeal must be received by the Appeals Program within ten (10) business days from the postmark date on the envelope in which this notice was mailed, or from the date an electronic notification was sent, by using this web address: <https://eappeals.lacounty.gov/dashboard/>. For technical support related to online appeal submissions go to <http://apps.hr.lacounty.gov/eAppeal/>.

*To Enrich Lives Through Effective and Caring Service*

**Applicant Name****ATTACHMENT G****DATE****Page 2**

You also have the right to file a complaint with the California Department of Fair Employment and Housing (DFEH). For assistance on how to submit a complaint with DFEH, please visit their website at <https://www.dfeh.ca.gov/complaint-process/> or you may contact them as follows:

- By Telephone: Communication Center at 800-884-1684 (voice), 800-700-2320 (TTY) or California's Relay Service at 711
- By E-mail: [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov)
- By Mail: DFEH Headquarters, 2218 Kausen Drive, Suite 100, Elk Grove, CA 95758.

We thank you for your interest in employment with our Department. The County of Los Angeles is a Fair Chance employer and you are encouraged to apply for other positions by visiting [www.hr.lacounty.gov](http://www.hr.lacounty.gov).

Sincerely,

**Name****Departmental Human Resources Manager**

## DMV MAINFRAME DRIVING RECORD CHECKLIST

### RR/CC DRIVING CRITERIA:

DISQUALIFYING FACTORS MAY INCLUDE BUT ARE NOT LIMITED TO: FELONY CONVICTIONS, CERTAIN JOB-RELATED MISDEMEANOR CONVICTIONS, CERTAIN SERIOUS TRAFFIC CONVICTIONS OR PATTERNS OF TRAFFIC VIOLATIONS (E.G., 3 OR MORE MOVING VIOLATIONS WITHIN THE PAST 2 YEARS, FAILURE TO APPEAR, AT-FAULT ACCIDENTS, AND DRIVING UNDER THE INFLUENCE), ILLEGAL USE OF CERTAIN CONTROLLED SUBSTANCES AND/OR POOR EMPLOYMENT HISTORY.

### CLEARANCE CHECKLIST:

DESCRIPTION		YES	NO	IF NO, ACTION
LICENSE STATUS: VALID				NOT QUALIFIED
EXPIRATION DATE LATER THAN ELECTION DATE				NOT QUALIFIED
LICENSE CLASS C OR HIGHER				NOT QUALIFIED
NO RESTRICTIONS – EXCEPT: 1. WEARING CORRECTIVE LENSES, AND/OR 2. CLASS B: WITHOUT AIR BREAKS				NOT QUALIFIED
LEGAL HISTORY: ALL SUSPENSIONS FOLLOVED BY “ACT-TERM”				NOT QUALIFIED
MOVING VIOLATIONS	1 OR LESS MOVING VIOLATION IN THE PAST 12 MONTHS			NOT QUALIFIED
	2 OR LESS MOVING VIOLATIONS IN THE PAST 24 MONTHS			
SINGLE INFRACTIONS	3 OR LESS IN THE PAST 12 MONTHS			NOT QUALIFIED
	5 OR LESS IN THE PAST 24 MONTHS			
	7 OR LESS IN THE PAST 36 MONTHS			
TWO-POINT INFRACTIONS	NOT MORE THAN 1 IN THE PAST 12 MONTHS			NOT QUALIFIED

DESCRIPTION		YES	NO	IF NO, ACTION
	2 OR LESS IN THE PAST 24 MONTHS			
DRIVING INFLUENCE	NO DUI IN THE PAST 2 YEARS			NOT QUALIFIED
	NO MORE THAN 1 DUI IN THE PAST 3 YEARS			
	2 OR LESS DUI RECORDS IN THE PAST 5 YEARS			
HIT AND RUN	NO RECORD			NOT QUALIFIED
ACCIDENTS	NO AT-FAULT ACCIDENTS WITHIN THE PAST 2 YEARS (ARC CODE 3 OR 4)			NOT QUALIFIED
FAIL-TO-PAY: NO				NOT QUALIFIED
FAIL-TO-APPEAR: NO				NOT QUALIFIED
***END**** SHOWN AT END OF PAGE				NOT QUALIFIED



# APPROPRIATE WORKPLACE ATTIRE

## Reference Guide



## **Appropriate Workplace Attire – Reference Guide**

### **Objective**

Los Angeles County Registrar-Recorder/County Clerk employees contribute to the corporate culture and reputation in the way they present themselves. A professional appearance is critical to fostering public confidence and is essential to creating a favorable impression with customers. Good grooming and appropriate dress reflect employee pride and inspire confidence on the part of such persons. Adhering to the Departmental policy on Appropriate Workplace Attire will ultimately promote a positive work environment, limit distractions and ensure safety and security while working.

### **Background**

This Reference Guide was created as a result of the collaborative efforts of Los Angeles County Registrar-Recorder/County Clerk Managers and Section Heads. This team attended workshops and participated in activities designed to build consensus on what constitutes appropriate workplace attire. Information gleaned from those meetings and activities was compiled to create this guide.

### **Guidelines for appropriate attire**

No dress code can cover all contingencies so employees must exert a certain amount of judgment in their choice of clothing to wear to work. If you experience uncertainty about acceptable, professional business attire for work, please ask your supervisor or the Departmental Human Resources Manager.

Although it is impossible and undesirable to establish an absolute dress and appearance code, the RR/CC will apply a reasonable and professional workplace standard to individuals on a case-by-case basis. Management may make exceptions for special occasions, at which time employees will be notified in advance, or in the case of inclement weather. An employee unsure of what is appropriate should check with his or her supervisor or manager.

If a supervisor or manager decides that an employee's dress or appearance is not appropriate as outlined by departmental policy, he or she may take corrective action and require the employee to leave the work area and make the necessary changes to comply with the policy.

## Recommended Attire

Per consensus through the department's Managers and Section Heads, clothing should be well maintained, pressed, and clean. Clothing should be free of words, terms, or pictures that may be offensive to other employees. Clothing should fit properly.

### *Men:*

- Blazers, suits, or sport coats
- Dress slacks (e.g. Chinos or Dockers)
- Ties (when appropriate)
- Dress shirts or polo style shirts with buttons and collars
- Sweaters and cardigans
- Dress shoes (tennis shoes limited to Casual Fridays)
- Neat and well groomed hair, sideburns, mustaches and beards (artificial colors e.g. pink, green, etc. may be deemed unprofessional)
- Clothing must be clean, pressed, in good condition and fit appropriately
- Tattoos should be covered

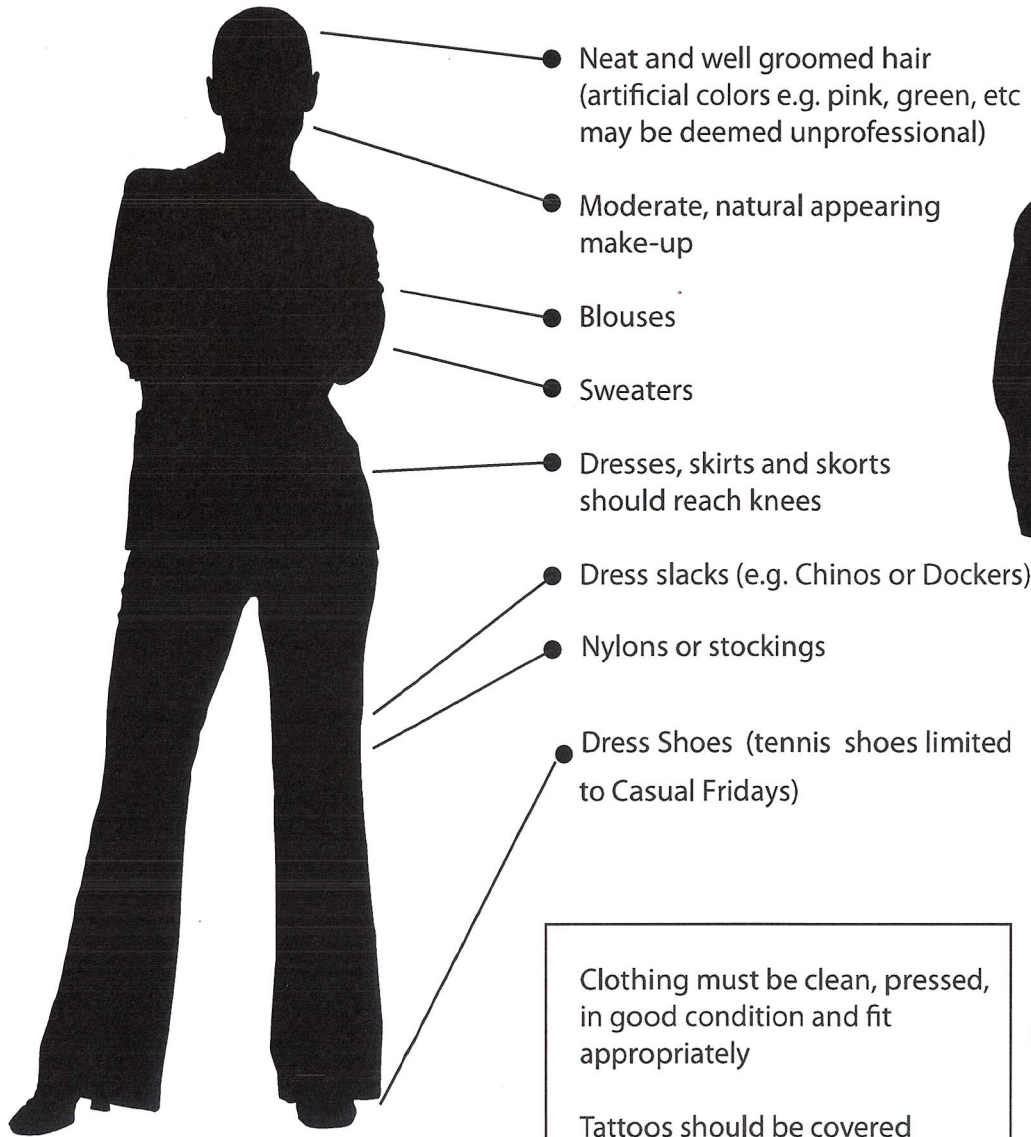
### *Women:*

- Dresses, skirts and skorts should reach the knees
- Dress slacks (e.g. Chinos or Dockers)
- Blouses
- Sweaters
- Dress shoes (tennis shoes limited to Casual Fridays)
- Nylons or stockings
- Moderate, natural appearing make-up
- Neat and well groomed hair (artificial colors e.g. pink, green, etc. may be deemed unprofessional)
- Clothing must be clean, pressed, in good condition and fit appropriately
- Tattoos should be covered

Note: To aid employees observe these guidelines the provided chart should highlight some of the recommendations provided above. As reminder, the intent is to promote a positive work environment, limit distractions and ensure safety and security while working.

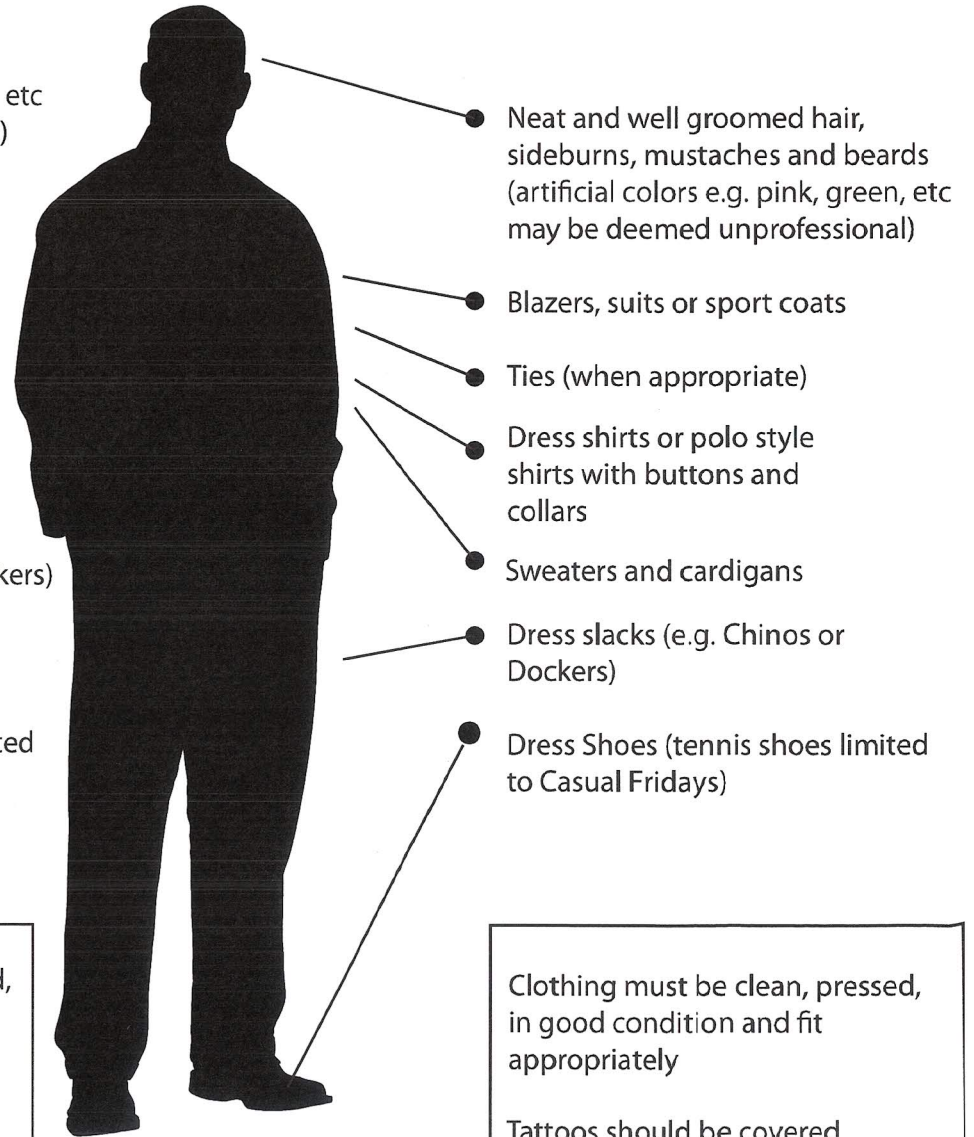


# Recommended Attire



Clothing must be clean, pressed, in good condition and fit appropriately

Tattoos should be covered



Clothing must be clean, pressed, in good condition and fit appropriately

Tattoos should be covered

**PERFORMANCE REQUIREMENT SUMMARY (PRS)  
TECHNICAL STAFFING SERVICES**

REQUIRED SERVICES	STANDARD	MAXIMUM ALLOWABLE DEVIATION (AQL)	METHOD OF SURVEILLANCE	DEDUCTIONS FROM CONTRACT PRICE FOR EXCEEDING AQL
Appendix B. Overall compliance with the Statement of Work (SOW), Scope of Work.	100% Adhere to County requirements	5%	<ul style="list-style-type: none"> <li>- User/staff complaints</li> <li>- Random Inspections</li> <li>- Information found on Contractor reports</li> </ul>	Up to \$100 per occurrence
Appendix B. Overall compliance with Statement of Work (SOW), Specific Tasks.	100% Adhere to County requirements	5%	<ul style="list-style-type: none"> <li>- User/staff complaints</li> <li>- Random Inspections</li> <li>- Information found on Contractor reports</li> <li>- Random samplings</li> </ul>	Up to \$100 per occurrence
Appendices B, C. Contractor shall establish and maintain a Quality Control Plan to assurance that the requirements of this contract are met.	100% Adhere to County requirements	0%	<ul style="list-style-type: none"> <li>- User/staff complaints</li> <li>- Random Inspections</li> <li>- Information found on Contractor reports</li> <li>- Random samplings</li> </ul>	Up to \$100 per occurrence
Appendix B. Personnel assigned to work with the County under this Contract undergo a background check and DMV check as specified in the SOW.	100% Adhere to County requirements	0%	<ul style="list-style-type: none"> <li>- User/staff complaints</li> <li>- Random Inspections</li> </ul>	Up to \$100 per occurrence per employee
Appendices B, C. Contractor in compliance with Standard Terms and Conditions.	100% Adhere to County requirements	5%	<ul style="list-style-type: none"> <li>- User/staff complaints</li> <li>- Random Inspections</li> <li>- Information found on Contractor reports</li> </ul>	Up to \$100 per occurrence
Appendix B. Contractor shall ensure they meet the requirements specified in the Contractor Responsibilities section of the SOW.	100% Adhere to County requirements	5%	<ul style="list-style-type: none"> <li>- User/staff complaints</li> <li>- Random Inspections</li> <li>- Information found on Contractor reports</li> <li>- Random samplings</li> </ul>	Up to \$100 per occurrence