

Clocking in on Los Angeles County's New Fair Work Week Ordinance

[Judy Juang, Megan Weitekamp](#)

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Los Angeles County has joined the ranks of other urban governments, including the City of Los Angeles, that have enacted fair workweek ordinances in attempt to provide workers with more predictable schedules and fairer pay. This new law, effective July 1, 2025, applies to qualifying retailers and grocers within unincorporated Los Angeles that employ 300 or more employees nationwide.

Under the Fair Work Week Ordinance, qualifying employers in LA County must comply with the following key requirements:

Good Faith Estimate of Work Schedule

Qualifying employers must provide prospective employees at the time a job offer is made a good faith estimate of the estimated number of hours the employee will be expected to work each week, the estimated work schedule, and whether the employee can expect to work any on-call shifts. If a current employee requests a good faith estimate, the employer must provide the current estimate within 10 calendar days of the request. This estimate is non-binding; however, an employer must not substantially deviate from the estimate unless it possesses a legitimate business reason that was unknown to the employer at the time the estimate was provided.

14-Day Notice of Work Schedule

Qualifying employers must provide its employees with their respective work schedules at least 14 days prior to the beginning of the work period. If a qualifying employer needs to change the schedule within 14 days, the employer must obtain and document the employee's consent to change the schedule. An employee has the right to decline such a change.

Predictability Pay

Qualifying employers must provide its employees with predictability pay for each employer-initiated change to an employee's work schedule that occurs less than 14 days from the start of the work period. Predictability pay is set at one hour of pay at the employee's regular rate for each change in work schedule that does not decrease the number of hours worked. Predictability pay is set at one-half of the employee's regular rate of pay for each hour decreased if the change decreases the number of hours worked by an employee. Change in work schedule means any change in time, date, or location.

Additional Work Hours Offered to Current Employees Before Hiring New Workers

Prior to hiring new employees, employers must first offer for 72 hours any additional work hours available to other employees that are trained and eligible to work the type of shifts needed. Qualified employees then have 48 hours to accept any additional shifts. If no qualified employee accepts a shift, only then may an employer hire the additional staff.

Coverage for Missing Work Shift

Qualifying employers must not impose the responsibility of finding coverage for a shift on the employee if the employee is unable to work as a result of reasons protected by law.

Rest Between Shifts

Written permission from an employee must be obtained to schedule an employee for a shift that starts less than 10 hours from the time the employee's most recent shift ended. The employee must be compensated at a premium pay rate set at a time-and-a-half for any time worked within this 10-hour window.

What Should Employers Do?

Employers should familiarize themselves with the requirements of this new law, update their policies, and train their managers and payroll to provide adequate estimate and notice, and to pay appropriate predictive pay when necessary.

If you have any questions on how the Fair Workweek Ordinance may impact your company or regarding best practices in implementing new changes on its requirements, please contact a member of the Kelley Drye Labor and Employment team.