

Employers Beware: LA County Approved New Ordinance To Allow Employees to Monitor and Report On COVID-19 Workplace Safety Compliance

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In an effort to ensure that Los Angeles County employers are complying with COVID-19 workplace safety guidelines, the Los Angeles County Board of Supervisors unanimously adopted an ordinance allowing for the formation of Public Health Councils - voluntary groups of employees at the worksite tasked with monitoring their employer's compliance with COVID-19 safety requirements. Specifically targeting industries with significant workplace-related coronavirus outbreaks, including warehousing and storage, food manufacturing, restaurants, and apparel manufacturing, the \$5 million program essentially deputizes the employees participating on the councils, burdening employers with yet another layer of oversight of workplace safety during the pandemic.

With guidance from the Department of Health, the newly formed Public Health Councils will be paired with third-party organizations (certified by the county) and receive training on health orders and the violation reporting process. While employers are not required to pay their employees for time spent participating on the councils, the Board does encourage employers to not only pay their employees for that time, but also permit the use of company premises for council meetings as well as aid in council outreach to interested employees.

The Board of Supervisors directed County Counsel to immediately draft an anti-retaliation ordinance to protect employees who report COVID-19 violations against their employers as a part of the program. Further, the Department of Consumer and Business Affairs will allocate up to \$1.9 million in Consumer Protection Settlement funds towards the investigation and enforcement of related retaliation actions.

More information on the Public Health Council Program can be found [here](#). For specific guidance, please reach out to one of our Labor and Employment attorneys.