

	<b>San Francisco</b>  [Art. 49 of the San Francisco Police Code, as amended and effective 10/1/2018]	<b>Los Angeles</b>  [Art. 9, Ch. XVIII of the Los Angeles Municipal Code]	<b>California</b>  [Gov. Code § 12942]
<b>How many employees needed for law / ordinance to apply?</b>	5	10	5
<b>When can employer ask about criminal history?</b>	Only after the employer makes a conditional offer of employment	Only after the employer makes a conditional offer of employment	Only after the employer makes a conditional offer of employment
<b>Does the law / ordinance specify procedures for use of an employee or applicant's criminal history?</b>	Yes, the employer performs an individualized assessment, provides the applicant with notice, allows the applicant time to respond, reconsiders the decision in light of the applicant's response, and provides the applicant notice of a final denial.	Yes, the employer performs a written assessment, provides the applicant with notice, allows the applicant time to respond, performs a reassessment based on the applicant's response, and provides the applicant with a copy of the reassessment if the applicant is not hired.	Yes, the employer performs an individualized assessment, provides the applicant with notice, allows the applicant time to respond, and informs the applicant of the final denial in writing.
<b>What is the penalty for violations?</b>	(1) Up to \$500 for first violation;  (2) Up to \$1,000 for second violation; and  (3) Up to \$2,000 for subsequent violations	(1) Up to \$500 for first violation;  (2) Up to \$1,000 for second violation; and  (3) Up to \$2,000 for subsequent violations. Separate penalties for violations of notice and record retention requirements.	None specified.
<b>With regard to penalties, what if a violation impacts multiple people? For</b>	The violation is counted as one violation as to each impacted person, but	These "may be treated as separate violations"	Not applicable.

<b>example, the application for a particular position asks all applicants their conviction history.</b>	employer is assessed the same administrative penalty for each violation		
<b>Who can sue over violations?</b>	The employee or applicant whose rights have been violated	The employee or applicant whose rights have been violated	The employee or applicant whose rights have been violated
<b>Is the employee or applicant required to exhaust administrative remedies before filing a civil action?</b>	Yes, the employee or applicant should first file a complaint with the Director of the Office of Labor Standards Enforcement	Yes, the employee or applicant should first report the violation to the Department of Public Works, Bureau of Contract Administration	Yes, the employee or applicant should comply with FEHA's administrative procedure requirements
<b>Who gets the penalty payment funds?</b>	The person impacted by the violation	The employee or applicant who brings a civil action. In an administrative action, penalties go to the City as an administrative fine but City may award up to \$500 per violation to employee or applicant	Not applicable.