



## **Los Angeles County Joins the City of LA to Require Recall Rights for Certain Employees Laid Off due to COVID-19**

**Note:** *This article was posted on May 18, 2020 at 9 am PDT. Because the COVID-19 situation is rapidly changing as the federal government and State of California continue to fight this pandemic, individuals and businesses should consult with counsel for the latest developments and updated guidance on this topic.*

On May 12, 2020, the LA County Board of Supervisors approved an ordinance establishing a right of recall for janitorial, maintenance, security service, and hotel workers laid off because of the COVID-19 pandemic. The ordinance applies to janitorial, maintenance, and security workers formerly employed by commercial property employers with 25 or more employees. For hotel workers, the ordinance grants the right of recall to former employees of a hotel with at least 50 guestrooms. To receive the recall rights, the separation from employment must have occurred after March 4, 2020, as a result of a lack of business, a reduction in work force, or other economic, non-disciplinary reason. When recalling former employees, priority is given to the employee returning to the same or similar position held at the time of layoff and then to former employees who are or can be qualified for the position. If more than one laid off former employee is entitled to preference, then priority is to be given based on seniority. The County Ordinance is effective as of May 12, 2020.

The County Ordinance closely mirrors one passed by the LA City Council in April, but applies to fewer categories of employees. The City Ordinance's right of recall additionally applies to airport and event center employers. Under both ordinances, an offer to return to work must be made in writing, and must get at least 5 business days to accept or decline. The City's Ordinance becomes effective on June 14, 2020.

Copies of the County and City Ordinances are available on the link to this article.

*If you have questions regarding this article, contact The Maloney Firm at 310.540.1505.*