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Violations of LA County's COVID-19 Protections for Essential Workers Result in Fines to Businesses

Consumer and Business Affairs Investigators Discover Violations of "Hero Pay" and Anti-Retaliation Ordinances

LOS ANGELES – The Los Angeles County Board of Supervisors passed several ordinances during the COVID-19 pandemic to help protect LA County's workers. As part of its task of enforcing several of those COVID-19 related worker protections, the LA County Department of Consumer and Business Affairs (DCBA) has recently fined two businesses for violations and recovered thousands of dollars for impacted workers and the County.

Investigators from DCBA's Wage Enforcement and Worker Protections division found that a grocery store in unincorporated East Pasadena failed to properly pay its workers in accordance with the temporary "**Hero Pay**" ordinance, and a construction company in Los Angeles which violated the County's **health & safety anti-retaliation ordinance** by illegally retaliating against an employee who reported a health violation. The two settlements, in total, resulted in businesses paying more than \$135,000 in back pay and fines.

"At every workplace, employees should not fear retaliation when exercising their right to report misconduct, particularly when it impacts their health and well-being," said DCBA Director Rafael Carbajal. "The County's mission is to promote compliance with all worker protections, enhance the welfare of the workforce, and protect businesses that follow the law."

To protect and reward essential workers in LA County, the [temporary "Hero Pay" ordinance](#) specified that employees who worked in a retail grocery store, a retail drug store, or a large retail store that sells groceries or drugs in unincorporated LA County were entitled to \$5 of "Hero Pay" per hour worked at the store. This ordinance was in effect for 120 days (Feb. 26-June 25, 2021) and has now expired.

In April 2021, DCBA investigated Sprouts Farmers Market in unincorporated East Pasadena by requesting payroll records to determine if employees were receiving the required \$5 per hour "hero pay." DCBA investigators confirmed



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the violation and informed the business, which had incorrectly believed the store was located in the City of Pasadena and therefore not subject to the ordinance. The business cooperated with DCBA investigators and immediately paid \$82,426.45 in back wages to 75 employees, plus a \$50,000 administrative fine, shared between the impacted employees and the County.

In February 2021, a worker filed a complaint with LA County alleging that their employer, Saban Global Inc., a Los Angeles construction company, violated the [“Preventing Retaliation for Reporting Public Health Violations” ordinance](#). The employee alleged they had requested the employer to wear face coverings while indoors as mandated by the County’s Health Officer Order. As a result, the employer terminated the employee from their position without just cause.

Under this ordinance, employers in Los Angeles County are prohibited from retaliating or discriminating against employees if they complain or provide information to the Department of Public Health or any LA County or non-County agencies or entities about workplace violations of public health laws, rules, and regulations. Examples of retaliation include firing an employee, threatening to fire them, cutting their hours, demotion, suspension, or other discipline. Violations can result in fines up to \$10,000 per violation, per day, and employees can be reinstated.

DCBA investigators confirmed the violation that Saban Global retaliated against the employee and wrongfully terminated them from their employment. The business was assessed an administrative fine of \$3,000. The employee did not want to be reinstated into their previous position.

Business owners can find more details about how to remain in compliance with temporary COVID-19 worker protection ordinances and permanent minimum wage laws by visiting dcba.lacounty.gov/minimum-wage.

Workers can report possible violations to DCBA’s Worker Protections and Wage Enforcement unit by calling 800-593-8222.

The County of Los Angeles Department of Consumer and Business Affairs (DCBA) has served Los Angeles County since 1976. We serve consumers, businesses, and communities through education, advocacy, and complaint resolution. We work every day to educate consumers and small business owners about their rights and responsibilities, mediate disputes, and investigate consumer fraud complaints. We enforce the Minimum Wage and Rent Stabilization ordinances in unincorporated Los Angeles County. For more information, visit dcba.lacounty.gov.

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