



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 16 - 0 1 1 3  
APR 0 1 2016

REPORT RE:

**DRAFT ORDINANCE AMENDING LOS ANGELES ADMINISTRATIVE CODE  
SECTION 4.126 TO CLARIFY SICK LEAVE BENEFITS FOR HALF-TIME EMPLOYEES  
AND INTERMITTENT EMPLOYEES WHO BECOME HALF-TIME OR FULL-TIME**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 N. Spring Street  
Los Angeles, California 90012

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. This ordinance amends Los Angeles Administrative Code Section 4.126 to add language regarding qualifications for sick leave usage for half-time City employees and accrual rights for intermittent employees who become half-time or full-time.

Council Rule 38 Referral

A copy of the draft ordinances was sent, pursuant to Council Rule 38, to the City Administrative Officer (CAO). The CAO recommends adoption of these ordinances.

If you have any questions regarding this matter, please contact Assistant City Attorney Vivienne Swanigan at (213) 978-7182. She or another member of this Office will be available when you consider this matter to answer any questions you may have.

Very truly yours,  
MICHAEL N. FEUER, City Attorney

  
By DAVID MICHAELSON  
Chief Assistant City Attorney

DM:VAS:sm  
Transmittal

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Subdivision 4 of Subsection (a) of Section 4.126 of the Los Angeles Administrative Code, pertaining to sick leave benefits for City employees, to provide clarifying language relative to half-time and intermittent employees.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. Subdivision 4 of Subsection (a) of Section 4.126 of the Los Angeles Administrative Code is amended to read as follows:

4. Half-time employees, as defined by Section 4.110(a) of this Code, must complete a period of six consecutive months of service, and must have been compensated for at least 500 hours before qualifying for sick leave, unless said employees had already completed six consecutive months of service and were compensated for at least 500 hours as an intermittent employee prior to becoming half-time, in which case they will become eligible immediately upon designation to half-time status to accrue and use sick leave. Sick leave for a half-time employee shall be prorated on the basis of total number of hours scheduled in relationship to the total number of hours required for full-time employment.

Half-time employees with prior intermittent status who have accrued Compensatory Personal Time Off (CPTO) in accordance with Section 4.110.1 of this Code shall be allowed to carry over into their 100% sick leave bank a maximum of 16 hours of unused CPTO upon their designation to half-time status. Any unused CPTO in excess of 16 hours shall be deemed waived and lost.

Intermittent employees who become full-time or half-time employees who have not previously qualified for sick leave benefits as full-time or half-time employees, nor completed a period of six consecutive months of service and been compensated for at least 500 hours as intermittent employees, shall be required to complete the six-month qualifying period and to have been compensated for at least 500 hours in accordance with the above provision in order to qualify for sick leave. Upon completion of the qualifying period, a half-time employee shall be allowed sick leave at the appropriate pro-rated amount.

Intermittent employees, as defined by Section 4.110(b) of this Code shall not be entitled to accrue or use sick leave benefits, except as provided under Section 4.110.1 of this Code.

When a full-time or half-time employee becomes an intermittent employee, all accrued and accumulated sick leave for which he/she has

been credited shall remain credited to the employee but frozen in the amounts so accrued and accumulated without increase or decrease because of the change in work schedule. Such benefits may only be used if the employee becomes a half-time or full-time employee.

Sec. 2. This ordinance shall be operative upon publication pursuant to Charter Section 252(g).

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_.

HOLLY L. WOLCOTT, City Clerk

By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By   
VIVIENNE SWANIGAN  
Assistant City Attorney

Date 4/1/16

File No. \_\_\_\_\_