LETTER OF AGREEMENT
BETWEEN THE
AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES
FOR MOU NO. 03
AND THE CITY OF LOS ANGELES

PAID PARENTAL TIME PILOT PROGRAM

This Agreement is made and entered into by and between the City of Los Angeles ("City") and the American Federation of State, County, and Municipal Employees (AFSCME), Council 36, Local 3090, for Memorandum of Understanding (MOU) No. 03 of the Clerical Unit (Unit) as a supplement to the Unit's Family and Medical Leave article.

1. **The parties agree**: The City will implement the Paid Parental Time (PPT) Pilot Program for a pilot period of January 1, 2021, through June 30, 2025. This program provides eligible employees who experience a qualifying event up to six (6) weeks (240 hours) of 100% paid time off for pregnancy disability and/or to bond with their new child during Family and Medical Leave (FML). Use of PPT shall be limited to six (6) weeks (240 hours) as part of the employee's FML entitlement during the employee's 12-month FML anniversary period.

2. **Employee Eligibility**: Eligibility shall be in accordance with the eligibility requirements of the FML article in the aforementioned MOU.

3. **Qualifying Events**: Paid Parental Time shall be available to eligible employees who have experienced one of the following qualifying events:

   A. Birth of a child
   B. Disability due to pregnancy
   C. Long-term placement of a child for foster care
   D. Placement of a child for adoption
   E. Placement of a child for legal guardianship

4. **Definitions**: The following definitions are included to clarify family relationships as defined in the Family and Medical Leave Act and the California Family Rights Act:

   A. Parent means a biological, step-, adoptive, or foster parent, an individual who stands or stood *in loco parentis* to an employee or a legal guardian. This term does not include parents-in-law. Persons who are *in loco parentis* include those with day-to-day responsibilities to care for or financially support a child or, in the case of a parent of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.

B. Child means a biological, step-, adopted, or foster child, a legal ward, or a child of a person standing *in loco parentis*, who is either under age 18 or age 18 or older and incapable of self-care because of a mental or physical disability.

5. **PPT Usage**: Paid Parental Time may be used at the employee's discretion without regard to any other available paid time off balance. All eligible employees with a qualifying event shall receive up to six (6) weeks (240 hours) of PPT regardless of any other paid time off balances (i.e., sick leave, vacation, compensatory time off, etc.). Paid Parental Time may be used at the employee's discretion at any time during pregnancy or bonding FML and taken on a continuous or intermittent basis in no less than one (1) hour increments. Employees must conclude PPT within one (1) year of the child's birth or placement. Paid Parental Time will be administered in the same manner as all other paid time off balances. Paid Parental Time does not accrue, carry over, or pay out upon retirement or separation from City service.

6. **Pilot Program Evaluation**: Six (6) months prior to the expiration date of this pilot program, the City will engage labor to discuss the performance of the PPT Pilot Program and negotiate any proposed modifications to and/or establishment of a permanent program.

The parties to this Letter of Agreement (LOA) agree that if any part or provision in this LOA is in conflict or inconsistent with any of the information provided to employees regarding the Paid Parental Time, said part or provision in this LOA shall govern.

For AFSCME, Council 36, Local 3090:

Gary Glaze
Business Representative

Date 11/16/20

For the City:

Richard H. Llewellyn, Jr.
City Administrative Officer

Date 11/21/20

Approved as to Form and Legality:

For the City Attorney

Date 11/19/2020