

ORDINANCE NO. 186348

An ordinance amending Sections 4.110.1 and 4.126 of the Los Angeles Administrative Code pertaining to Compensated Personal Time Off Benefits for Intermittent Employees, and Allowance for Sick Leave.

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

Section 1. Subsection 1 of Section 4.110.1 of the Los Angeles Administrative Code is deleted.

Sec. 2. Subsections 2 and 3 of Section 4.110.1 of the Los Angeles Administrative Code are re-designated as (a) and (b), respectively, to read as follows:

(a) Personal business, subject to approval of the supervisor; and

(b) Holidays assigned off. When a holiday falls on an employee's assigned schedule and the employee is not required to work on that holiday, an employee may request to use CPTO. If the qualifying employees choose not to use CPTO for the holiday, the employees may be allowed, subject to the approval of the supervisor, to adjust their work schedules and make up the time in full not later than the next succeeding payroll period.

Sec. 3. The last paragraph of Section 4.110.1 of the Los Angeles Administrative Code is amended to read as follows:

Intermittent employees with accrued CPTO hours who become full-time or half-time employees as defined in Section 4.110(a) of this Code, shall be allowed to carry-over into their 100% sick leave bank a maximum of 48 hours of unused CPTO, and shall be eligible immediately as a full-time or half-time employee to accrue and use sick leave at the appropriate rate in accordance with Section 4.126 of this Code.

Sec. 4. Subsection (a) of Section 4.126 of the Los Angeles Administrative Code is amended in its entirety to read as follows:

(a) Every civilian employee of the City shall be entitled to sick leave with pay as provided herein, if the employee is compelled to be absent from work on account of any illness or injury other than that caused by or arising from the employee's own moral turpitude. Such sick leave shall be allowed as follows:

1. Full-Time Employees.

A. Full-time employees shall begin accruing sick leave on the first day of employment. Employees shall accrue a total of one day (8

hours) of sick leave at the end of the first month (30 calendar days) of employment and shall accrue one additional day at the end of each subsequent month (30-calendar day period) worked until January 1. Beginning January 1, employees shall accrue sick leave as provided in Subsection (a)1.B of this section. Employees may use their accrued sick leave beginning on the 90th day of City employment (90 calendar days from the date of hire).

B. Beginning the January 1 subsequent to the date of their initial City employment, full-time employees shall be allowed 96 hours leave at 100% of full pay and 40 hours at 75% of full pay each calendar year for sick leave, plus the hours of sick leave accrued and accumulated as provided herein.

C. Employees hired prior to January 1, 1998, who were previously allowed to accrue 40 hours of leave at 50% of full pay each calendar year shall have any unused balance of such sick leave frozen with no further credits or withdrawal permitted.

D. Notwithstanding the provisions of this section, employees in representation units shall be governed by the provisions of the Memorandum of Understanding for their representation units. Changes in employees' rates of sick leave accrual resulting from changes in their representation unit, shall be adjusted on the January 1 following such change.

2. Half-Time Employees.

A. Half-time employees as defined by Section 4.110(a) of this Code, shall begin accruing prorated sick leave on the first day of employment. 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. Employees may use their accrued sick leave beginning on the 90th day of City employment (90 calendar days from the date of hire).

B. Beginning the January 1 subsequent to the completion of 12 calendar months of employment following their date of hire, half-time employees shall be provided prorated sick leave hours based on the calendar year sick leave allotment for full-time employees of 96 hours at 100% of full pay and 40 hours at 75% of full pay, plus the hours of sick leave accrued and accumulated as provided in this Article. The prorated amount of 100% and 75% sick leave hours for half-time employees will be calculated on the basis of the total number of hours compensated in the previous 12-month calendar period (January 1 through December 31) in relationship to the total number of hours required for full-time employment.

3. Intermittent Employees.

A. Intermittent employees, as defined by Section 4.110(b) of this Code, shall begin accruing sick leave on the first day of employment. Employees shall accrue at a rate of one hour for every 29 hours worked. Employees may use their accrued sick leave beginning on the 90th day of City employment (90 calendar days from the date of hire) up to a maximum of 48 hours each calendar year.

B. Sick leave for intermittent employees may be accumulated up to a maximum of 48 hours each calendar year. Any accrued, unused sick leave remaining at the end of the calendar year shall carry over to the following year. Any sick leave accumulated in excess of the maximum amount shall be deemed waived and lost.

C. Intermittent employees with accrued Compensatory Personal Time Office (CPTO) pursuant to Section 4.110.1 of this Code, who become full-time or half-time employees, shall be allowed to carry over into their 100% sick leave bank a maximum of 48 hours of unused CPTO. Any unused CPTO in excess of the 48 hours carried over shall be deemed waived and lost. Employees shall be eligible immediately as a full-time or half-time employee to accrue and use sick leave at the appropriate rate in accordance with this section.

D. 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 in the amounts so accrued and accumulated. Such credited sick leave hours may be accessed and used by the intermittent employee, however, the rate of sick leave earned and accrued as an intermittent employee shall be in accordance with Subsection (a)3.A herein.

4. Employees Transferring from the Department of Water and Power.

A. Employees in the Department of Water and Power who subsequently transfer or are appointed to a class in another City department shall be provided with the equivalent number of 100% sick time hours available to the employee at the date of such transfer from the Department of Water and Power up to a maximum of 80 hours of 100% sick time. In addition, the employees will accrue eight hours of 100% sick time each month until the next following January 1, at which time the employees will accrue sick leave as provided for in Subsection (a)1.A, (a)2.A and (a)2.B, or (a)3.A depending on their employment status.

Sec. 5. Subsection (d) of Section 4.126 of the Los Angeles Administrative Code is amended to read as follows:

(d) Upon approval of the appointing authority, any employee may be allowed sick leave with full pay not to exceed an aggregate of 48 hours in any one calendar year but in not less than one-half hour increments at any one time, which shall be included in the allowance of sick leave at full pay under this section for the purpose of securing preventive medical, dental, optical or other like treatment or examination for the employee and for members of the employee's immediate family as defined in Section 4.127 of this Code.

Sec. 6. Subsection (f) of Section 4.126 of the Los Angeles Administrative Code is amended to read as follows:

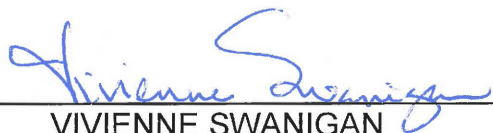
(f) Payment for sick leave at full pay for any period of 48 hours or less shall be allowed by the appointing authority. Payment, however, for sick leave in excess of 48 working hours may require a doctor's certificate or other suitable and satisfactory proof showing the fact of an illness or injury and the necessity for the absence, together with such other satisfactory proof of the probity of the claim as may be required has been received, accepted and approved by the employee's appointing authority and reported to the Controller. The appointing authority may require a doctor's certificate or proof of illness or injury at any time where there is objective information suggesting possible employee abuse.

Sec. 7. This ordinance shall be operative upon publication, pursuant to Charter Section 252(g).

Sec. 8. 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.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
VIVIENNE SWANIGAN
Assistant City Attorney

Date 9/10/19

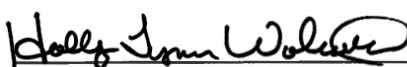
File No. _____

M:\Muni Counsel\CAO ORDINANCES\LAAC Ord Amend 4.110.1 CPTO 4.126 SK LV.docx

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR





Ordinance Passed 10/22/2019

Approved 10/22/2019

Ordinance Effective Date: 11/03/2019
Council File No.: 19-1164

DECLARATION OF POSTING ORDINANCE

I, **Ottavia Smith** state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. **186348** - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **10/22/2019**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, I conspicuously posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records beginning on **10/25/2019** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.



Deputy Clerk

Date: 10/25/2019

Ordinance Effective Date: 11/03/2019

Council File No.: 19-1164