

ORDINANCE NO. _____

An ordinance adding Section 4.127.2 to the Los Angeles Administrative Code, to provide Leave for Reproductive Loss for employees in compliance with California Senate Bill 848, as codified in California Government Code Section 12945.6.

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

Section 1. Section 4.127.2 is added to Article 10 of Chapter 2 of the Los Angeles Administrative Code to read as follows:

Sec. 4.127.2. Leave for Reproductive Loss.

(a) Effective January 1, 2024, in compliance with California Government Code Section 12945.6, employees who have been employed for at least 30 calendar days may take up to five (5) days of leave for reproductive loss within three (3) months following a reproductive loss event, as defined below. Said leave shall be taken on assigned work days using the number of hours the employee is usually scheduled to work on those days. Employees shall be allowed to take consecutive or non-consecutive days off. Employees may use unpaid leave, accrued unused sick leave, accrued unused vacation time, or accrued compensatory time off, or any combination thereof for their reproductive loss leave. In the event of an employee experiencing multiple reproductive loss events exceeding four events within a 12-month period, the amount of aggregate time off granted shall not exceed twenty (20) days within a 12-month period.

1. "Reproductive loss event" means the day or, for a multiple-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction, defined as follows:

A. "Failed adoption" - the dissolution or breach of an adoption agreement with the birth mother or legal guardian, or an adoption that is not finalized because it is contested by another party. This event applies to an employee who would have been a parent of the adoptee if the adoption had been completed.

B. "Failed surrogacy" - the dissolution or breach of a surrogacy agreement, or a failed embryo transfer to the surrogate. This event applies to an employee who would have been a parent of a child born as a result of the surrogacy.

C. "Miscarriage" - a miscarriage by an employee, by the employee's current spouse or domestic partner, or by another individual if the employee would have been a parent of a child born as a result of the pregnancy that ended in miscarriage.

D. "Stillbirth" - a stillbirth resulting from an employee's pregnancy, the pregnancy of the employee's current spouse or domestic partner, or another individual, if the employee would have been a parent of a child born as a result of the pregnancy that ended in stillbirth.

E. "Unsuccessful assisted reproduction" - an unsuccessful round of intrauterine insemination or embryo transfer, which includes gamete and embryo donation, or of an assisted reproductive technology procedure. This event applies to an employee, the employee's current spouse or domestic partner, or another individual, if the employee would have been a parent of a child born as a result of the pregnancy that was unsuccessful.

(b) Notwithstanding Subsection (a) above, when employees are on Family and Medical Leave pursuant to Section 4.129 of this Code or a Memorandum of Understanding, or any other leave entitlement under State or federal law, either prior to or immediately following a reproductive loss event, employees shall complete their reproductive loss leave within three months after the end date of the other leave.

Sec. 2. This ordinance shall be effective 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.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By 
VIVIENNE SWANIGAN
Assistant City Attorney

Date February 23, 2024

File No. _____

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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 _____

Approved _____