

ORDINANCE NO. _____

An ordinance adding Section 4.310.2 to Article 5 of Chapter 7 of Division 4 of the Los Angeles Administrative Code to incorporate the Catastrophic Illness Leave Program.

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

Section 1. This ordinance shall be known and may be cited as the “Catastrophic Illness Leave Program.”

Sec. 2. A new Section 4.310.2 is added to Article 5 of Chapter 7 of Division 4 of the Los Angeles Administrative Code to read as follows:

Sec. 4.310.2. Catastrophic Illness Leave Program.

(a) **Definitions.** The following words used in this section shall be construed as defined herein:

(1) **“Catastrophic Illness”** shall mean a non-work-related catastrophic illness/injury or life-threatening disease of an Employee or an Employee’s Family Member where other types of monetary benefits are not reasonably available, as determined by the Personnel Department’s Employee Benefits Division.

(2) **“City”** shall mean the City of Los Angeles.

(3) **“Charter”** shall the charter of the City of Los Angeles.

(4) **“Employee”** shall mean all City employees who are eligible members of civilian benefit programs under the responsibility of the Personnel Department and the Joint Labor-Management Benefits Committee (JLMBC) as provided under Article 5 of Chapter 7 of Division 4 of the LAAC, except as regard to employees covered under a separate Memorandum of Understanding under which a catastrophic illness program has been established.

(5) **“Employee Benefits Division”** shall mean the division within the Personnel Department that administers the City’s benefits program under this article.

(6) **“Family Member”** shall have the same meaning as provided in the applicable MOU of an Employee or as defined under Section 4.127 of Article 10 of Chapter 2 of Division 4 of the LAAC.

(7) **“JLMBC”** shall mean the Joint Labor-Management Benefits Committee established under Section 4.303 of this article.

(8) **“LAAC”** shall mean the City of Los Angeles Administrative Code.

(9) **“Leave Program”** shall mean the Catastrophic Illness Leave Program described under this section.

(10) **“MOU”** shall mean the Memorandum of Understanding that is applicable to the Employee.

(11) **“Personnel Department”** shall mean department created under Section 540 of the Charter.

(b) **Purpose.** The Leave Program is designed to provide Employees who are experiencing or suffering from Catastrophic Illness or caring for a Family Member who is experiencing or suffering from a Catastrophic Illness additional compensated leave to continue meeting the minimum eligibility criteria required to continue receiving benefits provided through the civilian benefit programs, as administered and overseen by the Personnel Department and the JLMBC.

(c) **Eligibility and Rules for Leave Program.** An Employee shall be eligible to participate in the Leave Program provided the Employee has met all the following applicable conditions:

(1) Passed probation and be a permanently employed full-time or half-time employee;

(2) Exhausted all monetary benefits (i.e., sick leave, vacation hours, floating holiday(s), and compensatory time) and on active payroll status;

(3) Experiencing or suffering from Catastrophic Illness or caring for a Family Member(s) who is experiencing or suffering from Catastrophic Illness;

(4) Executed a signed attestation that discloses the pertinent medical information related to the Catastrophic Illness described under Subdivisions (3) and/or (4) of this subsection to the Employee Benefits Office.

(5) Exhausted all enrolled disability insurance benefits offered by civilian benefit programs under the responsibility of the Personnel Department and the JLMBC with respect to the same Catastrophic Illness for which the Leave Program is being requested; and

(6) Not currently receiving disability insurance benefits from any other disability insurance program.

(d) **Compensated Leave.**

(1) An Employee, who meets the eligibility provision described under Subsection (c), may be compensated up to an aggregate maximum of 480 hours during the Employee's employment with the City, without regard to any break in service with the City.

(2) The amount of compensation received by the Employee from the Leave Program will be equivalent to the number of hours claimed by the Employee or as otherwise authorized by the Employee Benefits Division under the Leave Program at such Employee's rate of pay.

(3) An Employee cannot receive compensation through the Leave Program concurrently with other compensatory time; use of compensation through the Leave Program shall be at the direction of the Employee Benefits Division

(e) **Administration and Accounting of the Leave Program.**

(1) Employee Benefits Division shall administer the Leave Program and analyze and monitor the compensation amounts received by the Employees and the frequency of use of this Leave Program.

(2) The total compensation approved by the Employee Benefits Division for payment through the Leave Program shall not exceed the total value of excess accrued time held by the Office of the City Controller in the time bank. The time bank will be credited with excess accrued time as described in this subsection. When eligible employees have accrued the maximum number of vacation hours permitted through Section 4.254 of Article 1 of Chapter 6 of Division 4 of the LAAC or applicable MOU provision, all vacation hours to which they otherwise would be subsequently entitled shall not be mandatorily and automatically credited to the time bank. When eligible employees have not taken credited unspecified (floating) holidays during the calendar year permitted through Section 4.119(m) of Article 9 of Chapter 2 of Division 4 of the LAAC or applicable MOU provision, all unspecified (floating) holiday hours shall be mandatorily and automatically credited to the time bank.

Sec. 3. If any provision, clause, sentence, phrase, or portion of this Section 4.310.2, or the application thereof to any person or circumstance, is held unconstitutional or invalid by any court or tribunal of competent jurisdiction, the remaining provisions, clauses, sentences, phrases, or portions of this section shall remain in full force and effect, and to this end the provisions, clauses, sentences, phrases, or portions thereof, are severable.

Sec. 4. 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 
CHARLES HONG
Deputy City Attorney

Date 5/24/22

File No. CF 21-0810

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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 _____