

PERSONNEL, AUDITS, AND ANIMAL WELFARE COMMITTEE REPORT relative to updating the City's policies regarding military leave and compensation to extend the existing provisions to City employees for inactive duty training.

Recommendations for Council action:

1. RECEIVE and FILE the November 10, 2022 City Administrative Officer (CAO) report, inasmuch as this report is for information only and no Council action is required.
2. REQUEST the City Attorney to prepare and present an Ordinance providing two weeks of annual paid leave for inactive duty military training.

Fiscal Impact Statement: Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

On December 7, 2022, your Committee considered a November 10, 2022 CAO report relative to updating the City's policies regarding military leave and compensation to extend the existing provisions to City employees for inactive duty training. According to the CAO, City employees who are reservists in the United States Armed Forces are granted temporary leave from employment to fulfill active military orders in accordance with the Uniformed Services Employment and Reemployment Act of 1994 (USERRA), the Military and Veterans Code of the State of California (MVC), and Los Angeles Administrative Code (LAAC) Section 4.123 and related ordinances.

MVC Section 395.01(a) entitles employees to compensation for active military training for the first 30 calendar days of a temporary leave of absence from employment. When the United States government engages in a military exercise which necessitates ordering reservists to full active duty, the City Council adopts an ordinance identifying the military operation and deployment as qualifying for leave with compensation under the MVC. In support of the MVC policies, the City requires an employee to present two certified copies of the military orders that they are issued before compensation is authorized for the military leave. MVC Section 395(a) also authorizes military leave for inactive military training, which includes weekend training exercises (usually twice monthly), two-week annual trainings, any training exercises associate with an employee's participation in a military branch, e.g., enrolling in voluntary training for a specialty like military intelligence school. While leave for active and inactive duty is authorized by the MVC, the MVC and LAAC do not provide for compensation for inactive duty training because certain trainings are not requirements of reservist participation.

The City Attorney has indicated that the City Council may expand the scope of the City's military leave compensation provisions to extend beyond 30 days and to include inactive military training, achievable through a Council Resolution or memorandum of understanding with labor organizations. Determining the fiscal impact of either action is extremely challenging because the City does not maintain records of the number of City employees who are reservists who might participate in inactive duty training or who have previously participated in inactive military training. Moreover, even if the number of active reservists were known, the number of reservists who could or would participate in inactive duty would be unknown until the actual time of their participation.

After consideration and having provided an opportunity for public comment, the Committee moved to receive and file the CAO report and further recommend requesting the City Attorney to prepare and present an Ordinance providing for two weeks of annual paid leave for inactive duty military training. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

Personnel, Audits, and Animal Welfare Committee

**COUNCILMEMBER VOTE**

KORETZ: YES

HARRIS-DAWSON: YES

BONIN: ABSENT

ARL

12/7/22

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**