

**CITY OF LOS ANGELES**  
INTER-DEPARTMENTAL CORRESPONDENCE

Date: June 8, 2023

To: The City Council

From: Matthew W. Szabo, City Administrative Officer



Subject: **“DESIGNATED PERSON” FOR SICK LEAVE AND FAMILY AND MEDICAL LEAVE - ORDINANCES AMENDING LOS ANGELES ADMINISTRATIVE CODE SECTIONS 4.126, 4.127 AND 4.129 FOR NON-REPRESENTED EMPLOYEES**

**RECOMMENDATIONS**

The City Administrative Officer recommends the following actions by the City Council and Mayor:

1. That the City Council, subject to the approval of the Mayor:
  - A. Adopt the attached ordinance, approved as to form and legality by the City Attorney, amending Los Angeles Administrative Code Sections 4.126 and 4.127, pertaining to Sick Leave and Family Illness, respectively, to provide for a “designated person” by non-represented employees;
  - B. Adopt the attached ordinance, approved as to form and legality by the City Attorney, amending Los Angeles Administrative Code Section 4.129, pertaining Family and Medical Leave, to provide for a “designated person” by non-represented employees, in addition to updated language; and
2. That the City Council authorize the Controller and the City Administrative Officer to correct any clerical errors, or, if approved by the City Attorney, any technical errors in the above ordinances.

**SUMMARY**

AB 1041 added “designated person” to California Labor Code Section 245.5(c)(8) effective January 1, 2023, for use with paid sick leave, defined as “a person identified by the employee at the time the employee requests paid sick days.” Employees are limited to designating such a person once in a 12-month period. In addition, AB 1041 added “designated person” for family care and medical leave to California Government Code Section 12945.2(b)(2) effective January 1, 2023, defined as “any individual related by blood or whose association with the employee is the equivalent of a family relationship.” Family medical leave shall not be used for more than one designated person during an employee’s 12-month entitlement period, with

the designated person being identified by the employee when leave is requested to care for that designated person.

In compliance with AB 1041, the ordinances submitted herein incorporate and define “designated person” for purposes of the City’s Sick Leave and Family and Medical Leave benefits for non-represented employees, effective January 1, 2023, along with any necessary miscellaneous language updates. For the City’s represented employees, provisions in applicable Memoranda of Understanding are being updated through the meet and confer process to comply with AB 1041.

## **FISCAL IMPACT**

Any cost associated with Sick Leave or Family and Medical Leave being used by City employees for a “designated person” will be absorbed within department or bureau budgeted funds.

*MWS:PAG:MAU:CEC:0723145*

Attachments