

SECTION 4.2.4: BEREAVEMENT LEAVE.

(a) Definition.

1. Bereavement leave is paid and unpaid leave, as defined in Section 4.2.4 (b)(1)(2) and 4.2.4 (c)(1) below, which is available to an employee at the time of death or funeral of a member of the employee's immediate family as defined below in Section 4.2.4 (e).
2. Reproductive Loss Leave is paid and unpaid leave, as defined in Section 4.2.4 (b) and 4.2.4 (c) below, which is available to an employee due to a reproductive loss defined in Section 4.2.4 (f) and in DHR Policy 609.

(Amended 08/03/07, Ord. No. 9876)
(Amended 12/13/22, Ord. No. 10814)
(Amended 12/05/23, Ord. No. 10870)

(b) Eligibility.

1. Only biweekly rate employees on paid status shall be eligible for paid bereavement leave and reproductive loss leave.
2. Paid and Unpaid Bereavement Leave. An employee shall not exceed three (3) workdays for the death of their immediate family. Also, an employee shall be entitled to use two (2) additional days of sick leave as bereavement leave. If an employee has no sick leave balances, the two days may be taken using other paid leave accruals. If no paid leave is available, the two days may be taken as unpaid leave.
3. Paid and Unpaid Reproductive Loss Leave. An employee may take up to five (5) days of leave following a reproductive loss event. Paid Reproductive Loss Leave shall not exceed three (3) workdays. An employee shall be entitled to use two (2) additional days of sick leave as Reproductive Loss Leave. If an employee has no sick leave balances, the two days may be taken using other paid leave accruals. If no paid leave is available, the two days may be taken as unpaid leave.

If an employee experiences more than one reproductive loss event within a 12-month period, the employee is entitled to five (5) days of Reproductive Loss Leave for each event not to exceed a total of 20 days within a 12-month period.

(Amended 12/05/23, Ord. No. 10870)

(c) Eligibility for Non-biweekly Rate Employees.

1. Bereavement Leave. All non-biweekly rate employees shall be eligible for up to five (5) days of unpaid bereavement leave. Employees may use paid leave accruals, if any, in lieu of unpaid leave.
2. Reproductive Leave Loss. All non-biweekly rate employees shall be eligible for up to five (5) days of unpaid Reproductive Loss Leave.
 - a. If an employee experiences more than one reproductive loss event within a 12-month period, the maximum leave available is 20 days per fiscal year. 5 days total may be used for each reproductive loss. Employees may use paid leave accruals, if any, in lieu of unpaid leave.

(Amended 12/19/86, Ord. No. 7254)
(Amended 05/19/89, Ord. No. 7628)
(Amended 07/13/90, Ord. No. 7773)
(Amended 07/27/90, Ord. No. 7777)
(Amended 07/27/90, Ord. No. 7789)
(Amended 03/15/96, Ord. No. 8650)
(Amended 07/03/98, Ord. No. 8932)
(Amended 08/03/07, Ord. No. 9876)
(Amended 12/13/22, Ord. No. 10814)
(Amended 12/05/23, Ord. No. 10870)

(d) Use.

1. Bereavement leave may only be taken at the time of the death or funeral of a member of their immediate family. The three (3) days of paid bereavement leave under Section 4.2.4 (b) shall not be deducted from other leaves of absence or compensatory time off for which the employee may be eligible. (See Section 4.2.2(d)(6) for possible combination with sick leave.)
2. Reproductive Loss Leave may only be taken within three months from the date of the reproductive loss, or within three (3) months of a California Family Right Act Leave (CFRA) protected leave if the loss occurred during or right before the leave. The three (3) days of paid Reproductive Loss Leave under Section 4.2.4 (b) shall not be deducted from other leaves of absence or

compensatory time off for which the employee may be eligible.
(See Section 4.2.2 (d)(6) for possible combination with sick
leave.

(Amended 08/03/07, Ord. No. 9876)
(Amended 12/13/22, Ord. No. 10814)
(Amended 12/05/23, Ord. No. 10870)

- (e) Bereavement Leave: Immediate Family. Means husband, wife, child, stepchild, brother, stepbrother, sister, stepsister, parent, stepparent, any person serving or who has served as a parent, grandparent, grandchild, parent-in-law, brother-in-law, sister-in-law, or any other person living in the same household as the employee.

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- (f) Reproductive Loss Leave shall be defined and used in the same manner as in California Government Code section 12945.6 and as described in DHR Policy 609.

(Amended 12/19/86, Ord. No. 7254)
(Amended 05/19/89, Ord. No. 7628)
(Amended 01/13/89, Ord. No. 7582)
(Amended 02/10/89, Ord. No. 7588)
(Amended 03/24/89, Ord. No. 7605)
(Amended 05/19/89, Ord. No. 7628)
(Amended 07/13/90, Ord. No. 7773)
(Amended 07/27/90, Ord. No. 7777)
(Amended 06/11/93, Ord. No. 8248)
(Amended 03/15/96, Ord. No. 8650)
(Amended 09/27/96, Ord. No. 8720)
(Amended 07/03/98, Ord. Nos. 8920, 8925, 8930, 8932)
(Amended 12/04/01, Ord. No. 9405)
(Amended 12/24/04, Ord. No. 9688)
(Amended 08/03/07, Ord. No. 9876)
(Amended 03/28/08, Ord. No. 9928)
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