

RESOLUTION NO. 15-093

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING THE PAID SICK LEAVE BENEFIT PURSUANT TO THE HEALTHY WORKPLACE HEALTHY FAMILY ACT OF 2014 (AB 1522) AND ITS SUBSEQUENT AMENDMENT BILL (AB 304) FOR THE UNREPRESENTED, UNBENEFITED PART-TIME AND TEMPORARY EMPLOYEES

WHEREAS, on September 10, 2014 the Governor of the State of California signed the Healthy Workplace Healthy Family Act of 2014 (AB 1522) providing paid sick leave for covered employees effective January 1, 2015; and

WHEREAS, on July 13, 2015 the Governor of the State of California signed Assembly Bill 304 amending and clarifying AB 1522; and

WHEREAS, the paid sick leave provisions of AB 1522 take effect July 1, 2015 and AB 304 is effective immediately; and

WHEREAS, regular City employees (both full and represented part-time) are currently provided with sick leave benefits pursuant to Memorandums of Understanding and Resolutions of Salary and Benefits that meet the minimum requirements of AB 1522 and AB 304; and

WHEREAS, unrepresented, unbenefited part-time and temporary employees are not covered by any Memorandums of Understanding, agreements, contracts, benefits Resolution(s) or any other benefits policy; and

WHEREAS, the City of Carson wishes to establish a paid sick leave policy, pursuant to AB 1522 and AB 304, applicable to unrepresented, unbenefited part-time and temporary employees; and

WHEREAS, AB 1522 and AB 304 allow the City to establish the accrual method, maximum accrual, and the minimum usage increment for paid sick leave.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, DETERMINES AND RESOLVES AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. A paid sick leave benefit for unrepresented, unbenefited part-time and temporary employees of the City of Carson is hereby adopted. In accordance with the requirements of AB 1522 and AB 304, the sick leave benefit provides for the following:

- a) Paid sick leave shall accrue at the rate of one (1) hour for each 30 hours worked to a maximum of 24 hours per year; and
- b) Unused sick leave accrual shall be carried over annually, subject to a 48 hour limit; and

EXHIBIT NO. - 1



- c) An employee shall be entitled to use accrued paid sick time beginning on the 90th day of employment, defined as the number of days worked.
- d) Employees who have not worked in a 12 month period shall be considered a new employee for purposes of sick leave accrual and usage.
- e) Employees who have separated from City employment and rehired within 12 months shall have their sick leave reinstated provided they were not paid for that accrued time at separation.
- f) Paid sick leave shall be taken in increments of not less than one (1) hour.
- g) Calculation of Paid Sick Leave for non-exempt employees shall be calculated in the same manner as the regular rate of pay for the workweek in which the employee uses paid sick time, whether or not the employee actually works overtime in that workweek OR by dividing the employee's total wages, not including overtime premium pay, by the employee's total hours worked in the full pay periods of the prior 90 days of employment.
- h) Calculation of Paid Sick Leave for exempt employees shall be calculated in the same manner as the employer calculates wages for other forms of paid leave time.
- i) Retired annuitants of a public agency are not eligible for this benefit.
- j) Paid sick leave benefits shall be effective July 1, 2015, and shall remain in effect until modified, terminated, or rescinded by subsequent Resolution of the City Council, or by changes to applicable state or federal law.

PASSED, APPROVED and ADOPTED this 4th day of August, 2015.


MAYOR ALBERT ROBLES

ATTEST:


CITY CLERK JIM DEAR


APPROVED AS TO FORM:


CITY ATTORNEY SUNNY SOLTANI

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Jim Dear, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing resolution, being Resolution No. 15-093, adopted by the Carson City Council at its meeting held on the 4th day of August, 2015, by the following vote:

AYES:	COUNCIL MEMBERS:	Mayor Robles, Santarina, Davis-Holmes, and Hilton
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None



City Clerk Jim Dear