



Legislation Details (With Text)

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Title: ADOPTION OF RESOLUTION NO. 16-046 AMENDING AND RESTATING RESOLUTION NO. 15-093 BY ADOPTING AN UPDATED PAID SICK LEAVE POLICY FOR ALL UNREPRESENTED PART-TIME AND TEMPORARY EMPLOYEES PURSUANT TO THE HEALTHY WORKPLACE HEALTHY FAMILY ACT OF 2014 (AB 1522) AND ITS SUBSEQUENT AMENDMENT BILL (AB 304) (CITY COUNCIL)

Sponsors:

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Attachments: 1. Exhibit No. 1 - Reso No. 15-093, 2. Exhibit No. 2 - Reso No. 16-046

Date	Ver.	Action By	Action	Result
6/8/2016	1	City Council		

Report to Mayor and City Council

Tuesday, May 17, 2016

Consent

SUBJECT:

ADOPTION OF RESOLUTION NO. 16-046 AMENDING AND RESTATING RESOLUTION NO. 15-093 BY ADOPTING AN UPDATED PAID SICK LEAVE POLICY FOR ALL UNREPRESENTED PART-TIME AND TEMPORARY EMPLOYEES PURSUANT TO THE HEALTHY WORKPLACE HEALTHY FAMILY ACT OF 2014 (AB 1522) AND ITS SUBSEQUENT AMENDMENT BILL (AB 304) (CITY COUNCIL)

I. SUMMARY

The Healthy Workplace Healthy Family Act of 2014 (AB 1522) and its subsequent amendment bill (AB 304) provide employees the benefit of paid sick leave. On August 4, 2015, the City Council adopted Resolution No. 15-093 (Exhibit No. 1) to establish the accrual and usage method of sick leave for unrepresented, unbenefited part-time and temporary employees. Resolution No. 16-046 (Exhibit No. 2) amends and restates Resolution No. 15-093.

II. RECOMMENDATION

WAIVE further reading and Adopt Resolution No. 16-046, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING AND RESTATING

RESOLUTION NO. 15-093 BY ADOPTING AN UPDATED PAID SICK LEAVE POLICY FOR ALL UNREPRESENTED PART-TIME AND TEMPORARY EMPLOYEES PURSUANT TO THE HEALTHY WORKPLACE HEALTHY FAMILY ACT OF 2014 (AB 1522) AND ITS SUBSEQUENT AMENDMENT BILL (AB 304).”

III. ALTERNATIVES

None, the City must comply with Assembly Bill No. 1522 and its subsequent amendment bill AB 304.

IV. BACKGROUND

Pursuant to the Healthy Workplace Healthy Family Act of 2014 AB 1522 and its subsequent amendment bill AB 304, employers must provide paid sick leave to all employees effective July 1, 2015. Through bargaining, full-time employees receive paid sick leave that satisfies the requirements of AB 1522 and AB 304.

All part-time and temporary employees were not previously afforded this benefit. Therefore, effective July 1, 2015, the City implemented the paid sick leave benefit as required by the Healthy Workplace Healthy Family Act of 2014 for all part-time and temporary employees, including part-time represented employees.

As a result, on August 4, 2015, the City Council adopted Resolution No. 15-093 to establish the accrual and usage method of sick leave for part-time and temporary employees. Resolution No. 15-093 erroneously stated that represented part-time employees, at the time, were currently provided with the sick leave benefit pursuant to their Memorandum of Understanding along with full-time employees.

On May 17, 2016, the City approved a Memorandum of Understanding between the City and the American Federation of State, County and Municipal Employees (AFSCME) Union, Council 36, Local 809, for the Unclassified Part-Time Bargaining Unit of the City of Carson, July 1, 2013 through June 30, 2017. This MOU provides part-time represented employees paid sick leave benefits that satisfy the requirements of AB 1522 and AB 304

Resolution No. 16-046 amends and restates Resolution No. 15-093 updating the City’s paid sick leave benefits provided to part-time unrepresented employees, such that the paid sick leave benefits provided to part-time unrepresented employees, will be consistent with the paid sick leave benefits provided pursuant to the Part-Time Employees MOU (“Part-Time Employees MOU”).

Resolution No. 16-046 also includes that part-time employees later appointed to full-time positions will be allowed to carry over their accrued sick leave to their new full-time position. It further comprises that part-time and temporary employee shall not be paid for accrued sick leave balances at separation of employment.

Therefore, staff requests City Council approval and adoption of Resolution No. 16-046 to document the City’s adopted procedure in compliance with the Healthy Workplace Healthy Family Act of 2014 effective July 1, 2015.

V. FISCAL IMPACT

None. The sick leave benefit is not a budgeted item.

VI. EXHIBITS

1. Resolution No. 15-093 (pgs. 3-5)
2. Resolution No. 16-046 (pgs. 6-8)

1.

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