



Alameda County

Human Resource Services

Agenda July ^{14th} 21, 2009

Lakeside Plaza Building 1401 Lakeside Drive, Suite 200 Oakland, CA 94612-4305

July 6, 2009

Honorable Board of Supervisors
Administration Building
Oakland, CA 94612

Subject: Administrative Code Amendment

Dear Board Members:

Recommendation:

That your Board adopt an ordinance amending the Alameda County Administrative Code relative to Section 3.12.120, Pregnancy and Child Bonding Leave.

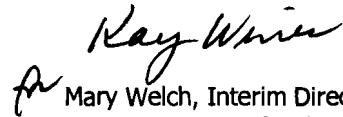
Discussion / Findings:

We are recommending revising Section 3.12.120, Pregnancy and Child Bonding Leave to include language whereby the employee with the approval of the Department Head, shall be entitled to sick leave with pay for which she is otherwise eligible.

Financing:

There are no costs resulting from this action.

Very truly yours,


Mary Welch, Interim Director
Human Resource Services

MW:vb

c: CAO
Auditor-Controller
County Counsel
Agency/Department Heads

Fax: (510) 272-6987



Approved as to Form
RICHARD E. WINNIE, County Counsel

By _____

AN ORDINANCE AMENDING
CERTAIN PROVISIONS OF THE
ALAMEDA COUNTY ADMINISTRATIVE CODE

The Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

Section 3.12.120 Pregnancy and Child Bonding Leave, of Chapter 3.12 Leaves of Absence, is hereby amended by the addition as underlined and to read as follows.

Effective July 12, 2009 the above referenced Section no longer applies. Effective July 12, 2009, the provisions of this section shall apply to Unrepresented employees of the county as follows:

PREGNANCY AND CHILD BONDING LEAVE. A pregnant employee is entitled to a pregnancy and child bonding leave up to six months, the dates of which are to be mutually agreed by the employee and Agency/Department. Such an employee may elect to take accrued vacation or compensating time off or sick leave, when eligible, during the period of pregnancy and child bonding leave, except that in the case of an employee who is regularly scheduled to work **less than the normal full-time** work week for the classification, paid leave shall be granted only for those days, or fractions thereof, on which such an employee would have been regularly scheduled to work and would have worked but for the pregnancy and child bonding leave. The employee shall be entitled to sick leave with pay accumulated pursuant to Section 3.20.060 or 3.20.070 of this code, and with the approval of the Department Head, to sick leave with pay for which she is otherwise eligible pursuant to Section 3.20.080 of this code.

Notwithstanding the above, the employee may be entitled to take up to seven (7) months of total leave for the integration of the disability and child bonding leaves pursuant to the California Family Rights Act. These leaves, when eligible, are taken concurrently with FMLA.

Reinstatement subsequent to pregnancy and child bonding leave of absence shall be to the same classification from which leave was taken, and the Agency/Department Head shall make its best effort to return such employee to the same geographical location, shift and where there is specialization within a classification, to the same specialization. Questions to whether or not the Agency/Department Head used its best effort herein, shall not be subject to the grievance procedure.

SECTION II

This ordinance shall take effect immediately, and before the expiration of fifteen days after its passage, shall be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the said County of Alameda.