

RESOLUTION NUMBER R- **315284**DATE OF FINAL PASSAGE **DEC 22 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING A SIDE LETTER AGREEMENT BETWEEN THE CITY AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, ALF-CIO, LOCAL 127, TO AMEND ARTICLE 25 OF THE MEMORANDUM OF UNDERSTANDING RELATED TO BEREAVEMENT LEAVE FOR REPRODUCTIVE LOSS EVENTS.

WHEREAS, by San Diego Resolution R-314969 (June 12, 2023), the San Diego City Council approved a Memorandum of Understanding (MOU) between the City of San Diego and the American Federation of State, County and Municipal Employees, AFL-CIO, Local 127 (Local 127) regarding terms and conditions of employment for employees represented by Local 127 for fiscal years 2024 through 2026; and

WHEREAS, on October 10, 2023, Governor Gavin Newsom signed Senate Bill 848 into law, which goes into effect on January 1, 2024. SB 848 amends the California Fair Employment and Housing Act to allow employees who have been employed for at least 30 days (eligible employees) up to five days of unpaid reproductive loss leave following a reproductive loss event, as defined, taken within three months of the event. Eligible employees are limited to up to 20 days of unpaid reproductive loss leave within a 12-month period; and

WHEREAS, the City and Local 127 entered into a side letter agreement (Agreement) to amend Article 25 of the MOU by adding unpaid reproductive loss leave to the existing unpaid bereavement leave provision, and authorize eligible employees to use this unpaid bereavement leave within 12 months following a reproductive loss event; and

WHEREAS, the Agreement must be approved by a two-thirds majority vote of the Council to take effect, in accordance with Charter section 11.2; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Agreement between the City and Local 127 to amend Article 25 of the MOU related to bereavement leave for reproductive loss events, presented to the Council and on file in the Office of the City Clerk as Document No. RR- **315284**, is approved, and takes effect upon the date of final passage of this Resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Miguel Merrell
Deputy City Attorney

MM:jvg

November 28, 2023

Or.Dept: Human Resources

CC No. N/A

Doc. No. 3485084

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 12 2023.

DIANA J.S. FUENTES
City Clerk



By

Deputy City Clerk

Approved:

12/22/23

(date)

Vetoed:

(date)



TODD GLORIA, Mayor

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on DEC 12 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 22 2023.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **315284**