



employee relations **BULLETIN**

REVISED

July 18, 2024

**To: Heads of All Departments (Excluding DWP)
Departmental Personnel Directors**

Subject: LEAVE FOR REPRODUCTIVE LOSS

Effective January 1, 2024, all civilian and sworn employees who have been employed by the City of Los Angeles for at least 30 days are eligible for Leave for Reproductive Loss, in accordance with California Government Code Section 12945.6. See the applicable Memorandum of Understanding (MOU) or Los Angeles Administrative Code (LAAC) Section 4.127.2 for civilian employees (Ordinance No. 188239), and LAAC Section 4.180 for sworn employees (Ordinance No. 188238) -- C.F. 24-0242. All City employees are eligible for Leave for Reproductive Loss, regardless of whether or not Leave for Reproductive Loss is provided in the employee's MOU. Consistent with the MOUs and LAAC Sections 4.127.2 and 4.180, Leave for Reproductive Loss shall be administered in accordance with the provisions described below:

Eligible employees may take up to five days of Leave for Reproductive Loss within three months following a reproductive loss event, as defined below. The leave shall be taken on assigned work days using the number of hours the employee is usually scheduled to work on those days. Employees shall be allowed to take consecutive or non-consecutive days off. Employees may use unpaid leave, accrued unused sick leave, accrued unused vacation time, accrued compensatory time off, accrued unspecified holiday time, hourly unspecified holiday time, or any combination thereof. In the event of an employee experiencing multiple reproductive loss events, the amount of aggregate time off granted shall not exceed 20 days within a 12-month period.

- A. "Reproductive loss event" means the day or, for a multiple-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction, defined as follows:
1. "Failed adoption" – the dissolution or breach of an adoption agreement with the birth mother or legal guardian, or an adoption that is not finalized because it is contested by another party. This event applies to an employee who would have been a parent of the adoptee if the adoption had been completed.

2. “Failed surrogacy” – the dissolution or breach of a surrogacy agreement, or a failed embryo transfer to the surrogate. This event applies to an employee who would have been a parent of a child* born as a result of the surrogacy.
 3. “Miscarriage” – a miscarriage by an employee, by the employee’s current spouse or domestic partner, or by another individual if the employee would have been a parent of a child* born as a result of the pregnancy that ended in miscarriage.
 4. “Stillbirth” – a stillbirth resulting from an employee’s pregnancy, the pregnancy of the employee’s current spouse or domestic partner, or another individual, if the employee would have been a parent of a child* born as a result of the pregnancy that ended in stillbirth.
 5. “Unsuccessful assisted reproduction” – an unsuccessful round of intrauterine insemination or embryo transfer, which includes gamete and embryo donation, or of an assisted reproductive technology procedure. This event applies to an employee, the employee’s current spouse or domestic partner, or another individual, if the employee would have been a parent of a child* born as a result of the pregnancy that was unsuccessful.
- B. Notwithstanding A. above, when employees are on Family and Medical Leave, or any other leave entitlement under State or federal law, either prior to or immediately following a reproductive loss event, employees shall complete their reproductive loss leave within three months after the end date of the other leave.

Documentation Requests

A supervisor or personnel officer may request documentation from an employee who is requesting Leave for Reproductive Loss to determine if the requested time off is within three months of the qualifying reproductive loss event and/or if the circumstances fall within the definition of a qualifying event, however, Leave for Reproductive Loss may NOT be denied based on the lack of or refusal to provide such documentation. This is the case regardless of the type of time off utilized for the reproductive loss leave.

Protected Leave and Confidentiality

Pursuant to California Government Code Section 12945.6, an employee has the guaranteed protected right to Leave for Reproductive Loss. Therefore, City departments shall not discriminate or retaliate against employees exercising their right to Leave for Reproductive

* Or children within the same surrogacy or pregnancy.

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Loss. Further, confidentiality must be maintained with respect to an employee's request and any documentation provided.

If you have any questions, please contact the CAO's Employee Relations Division at cao.erd@lacity.org.