



Los Angeles Unified School District

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April 13, 2015

Max Arias, Executive Director
SEIU Local 99 (Unit B)
2724 West 8th St
Los Angeles, California 90005

RE: PERSONAL NECESSITY LEAVE

Dear Mr. Arias:

This is to memorialize that the Los Angeles Unified School District and SEIU Local 99, have agreed to a modification to the personal necessity language in Article XII of the Unit B Collective Bargaining Agreement as stated below:

“13.0 Personal Necessity Leave (Paid): An employee shall, subject to the limits set forth below, be granted a paid personal necessity leave when the gravity of the situations described below require the personal attention of the employee during assigned hours of service:

- a. Death or serious illness of a member of the employee's immediate family. The immediate family is defined as the parent, grandparent or grandchild of the employee or the employee's spouse, and the spouse, child (including foster child), brother, sister, daughter-in-law, or son-in-law of the employee, or any relative living in the immediate household of the employee;
- b. Accident involving the employee's person or property or the person or property of a member of the employee's immediate family;
- c. Birth of the employee's child.
- d. Religious holiday of the employee's faith;
- e. Imminent danger to the home of an employee occasioned by a disaster such as flood, fire, or earthquake;
- f. Other significant event of a compelling nature to the employee, the gravity of which is comparable to the above, which demands the personal attention of the employee during assigned hours and which the employee cannot reasonably be expected to disregard, limited to one (1) occasion in any school year.
- g. Verifiable automobile failure including flat tires up to two (2) hours if the employee's automobile is required to be used for work purposes on that day;

h. An appearance of the employee in court as a litigant or as a witness under an official governmental order for which salary is not otherwise permitted, provided that:

- (1) Each day of necessary attendance as a litigant or as witness under such an official governmental order must be certified by the clerk or other authorized officer of a court or other governmental jurisdiction;
- (2) In any case in which a witness fee is payable, such fee shall be collected by the employee and remitted to the Accounting and Disbursements Division; and
- (3) The employee must return to work in cases where it is not necessary for him to be absent the entire day;

i. One (1) of the six (6) days allowed under Personal Necessity Leave may be taken for registration or final examinations in District-recognized institutions of higher learning. Verification of the registration or examination schedule may be required by the appropriate administrator.

j. Required attendance at the employee's child's or ward's classroom and meeting with the school administrator because of suspension pursuant to Education Code Section 48900.1.

k. Up to one (1) day of paid personal necessity leave and attendance at the school of the employee's own child, ward, or grandchild for purposes of a school activities leave provided by Section 230.8 of the Labor Code. The employee must notify the immediate administrator or designee at least five working days prior to the absence. The advance notice requirement shall not be applicable in the event of unforeseeable circumstances, in which case the employee shall provide as much notice as reasonably possible. The administrator or designee and employee must provide written verification from the school visited, upon request of the administrator or designee.

l. An employee shall be allowed up to six additional days of personal necessity leave in any calendar year to attend to the illness of a child, parent, spouse, domestic partner, or child of a domestic partner of the employee as provided by Section 233 of the Labor Code. All existing contractual conditions for use of illness leave shall apply to this leave as well. Use of illness leave as provided above shall not extend the maximum period of leave to which an employee is entitled under Article XII, Section 22.0, "Family Care and Medical Leave."

m. On a maximum of two (2) occasions during a school year (up to a cumulative total of eight [8] hours in a school year), to attend the funeral of a close friend or relative not included in the definition of immediate family (immediate family as defined in Section 8.0 of this Article).

13.1 The following limits and conditions are placed upon allowing a personal necessity leave of absence:

a. The total number of days allowed in one school year for such leave shall not exceed six (6) days per fiscal year;

b. The days allowed shall be deducted from and may not exceed the number of full-pay days of accrued illness leave to which the employee is entitled;

c. The personal necessity leave may not be granted during a strike, demonstration or any work stoppage involving the Union; and

d. Written request on the appropriate form shall be filed with the appropriate administrator no less than five (5) working days in advance of a religious holiday or court appearance.

e. The employee may be required to verify the nature of such necessity.”

Please sign below if SEIU Local 99 is in agreement with this side-letter.

Sincerely,



Vivian Ekhchian, Chief Labor Negotiator
Office of Labor Relations

IT IS SO AGREED:



SEIU Local 99

04/20/15
Date