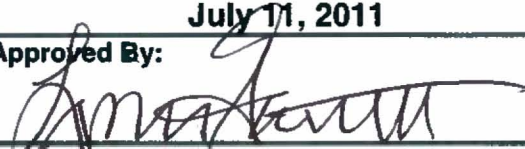




County of Los Angeles
Department of Human Resources
POLICIES, PROCEDURES AND GUIDELINES

Subject: THE FAMILY SCHOOL PARTNERSHIP ACT FOR COUNTY EMPLOYEES	Policy Number: 702	Pages: 3
	Effective Date: July 11, 2011	
	Approved By: 	

POLICY

Employees may use existing vacation, personal leave or compensatory time off, for planned absences so that the employee can participate in the school or child day care program activities of their children, grandchildren under their custody, and/or children under their legal guardianship, who are enrolled in kindergarten through twelfth grade or licensed child day care facility. Pursuant to Labor Code Section 230.8, such absences are not to exceed eight (8) hours per month and cannot exceed a total of forty (40) hours per year. Also, the employees must give reasonable notice to their supervisor of the planned absence.

On February 6, 1996, the Board of Supervisors adopted a motion to extend the benefits and responsibilities of the Family School Partnership Act to County employees with children under five years of age who are enrolled in child care or preschool programs.

GUIDELINES

The intent of the State Law and the motion by the Board of Supervisors is to facilitate the participation of employed parents, guardians and custodial grandparents in early childhood education and the school activities of their children or grandchildren under their custody, and/or children under their legal guardianship. For purposes of this policy a grandparent having custody means a grandparent who stands in *loco parentis* to his or her grandchild, meaning that the grandparent is acting in place of the parents and has assumed the rights, duties and responsibilities of the parents on a full-time basis, even if formal legal custody has not been obtained. Activities include, but are not limited to, school plays, musicals, sports events, or parent/teacher meetings.

Eligible employees:

Any employee who is a parent, guardian or grandparent having custody of one or more children enrolled in school, kindergarten through twelfth grade, a licensed child day care facility, or in a child care or preschool program serving children under five years of age, may use leave to participate in the school/child day care activities of their children.

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Reasonable notice:

Employees are required to give reasonable notice of their intent to participate in their child's activities at school or child day care facility.

If both parents who are County employees located at the same worksite request time off to participate in activities, the employee who first gives notice to the department head or designee has priority for approval for the planned absence. The other employee may only participate if the department head or designee approves the requested time off.

Leave

Employees may use accrued vacation, elective leave, nonelective leave, personal leave, or compensatory time off to participate in the school or child day care program activities of their children. Employees may not use sick leave for this purpose.

Leave without pay:

In the event that an employee has exhausted all paid leave, employee may use leave without pay for the purpose of participating in their child's school activities provided that this practice is consistent with similar policies within the department.

Maximum leave:

State law allows up to eight (8) hours per month, not to exceed forty (40) hours per year of leave for eligible employees.

Documentation:

The department may require reasonable written documentation that the employee actually participated in school activities. Such documentation could be a simple statement on school letterhead, flyer and/or email with a description of the school activity

Adverse action:

Employees, who are eligible to participate in the school/child care activities of their children may not be discharged, threatened with discharge, demoted, suspended or in any manner discriminated against because they have taken time off to participate in the school or day care program activities of their children in accordance with the requirements set forth by Labor Code Section 230.8, the Board's motion of 1996 and this policy.

Questions regarding this policy may be directed to the department's human resources manager or the manager of the Department of Human Resources, HR Departmental Support Division, at (213) 351-8945.

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AUTHORITY

California Labor Code 230.8

Motion Adopted by the Board of Supervisors on February 6, 1996

DATE ISSUED/REVIEW DATE

Original Issue Date: Issued as HR Report #4 on April 16, 1996

Review Date: August 9, 2007

Review Date: July 11, 2011

RESOURCE GUIDE

PPG NO. 702

**FAMILY SCHOOL PARTNERSHIP
ACT FOR COUNTY EMPLOYEES**

LABOR CODE SECTION

230.8. (a) (1) No employer who employs 25 or more employees working at the same location shall discharge or in any way discriminate against an employee who is a parent, guardian, or grandparent having custody, of one or more children in kindergarten or grades 1 to 12, inclusive, or attending a licensed child day care facility, for taking off up to 40 hours each year, not exceeding eight hours in any calendar month of the year, to participate in activities of the school or licensed child day care facility of any of his or her children, if the employee, prior to taking the time off, gives reasonable notice to the employer of the planned absence of the employee.

(2) If both parents of a child are employed by the same employer at the same worksite, the entitlement under paragraph (1) of a planned absence as to that child applies, at any one time, only to the parent who first gives notice to the employer, such that the other parent may take a planned absence simultaneously as to that same child under the conditions described in paragraph (1) only if he or she obtains the employer's approval for the requested time off.

(b) (1) The employee shall utilize existing vacation, personal leave, or compensatory time off for purposes of the planned absence authorized by this section, unless otherwise provided by a collective bargaining agreement entered into before January 1, 1995, and in effect on that date. An employee also may utilize time off without pay for this purpose, to the extent made available by his or her employer. The entitlement of any employee under this section shall not be diminished by any collective bargaining agreement term or condition that is agreed to on or after January 1, 1995.

(2) Notwithstanding paragraph (1), in the event that all permanent, full-time employees of an employer are accorded vacation during the same period of time in the calendar year, an employee of that employer may not utilize that accrued vacation benefit at any other time for purposes of the planned absence authorized by this section.

(c) The employee, if requested by the employer, shall provide documentation from the school or licensed child day care facility as proof that he or she participated in school or licensed child day care facility activities on a specific date and at a particular time.

For purposes of this subdivision, "documentation" means whatever written verification of parental participation the school or licensed child day care facility deems appropriate and reasonable.

(d) Any employee who is discharged, threatened with discharge, demoted, suspended, or in any other manner discriminated against in terms and conditions of employment by his or her employer because the employee has taken time off to participate in school or licensed child day care facility activities as described in this section shall be entitled to reinstatement and reimbursement for lost wages and work benefits caused by the acts of the employer. Any employer who willfully refuses to rehire, promote, or otherwise restore an employee or former employee who has been determined to be eligible for rehiring or promotion by a grievance procedure, arbitration, or hearing authorized by law shall be subject to a civil penalty in an amount equal to three times the amount of the employee's lost wages and work benefits.

02-06-96.9 BOARD OF SUPERVISORS (Continued)

02-06-96.9.1 8 8.

Recommendation as submitted by Supervisor Yaroslavsky: Extend to County employees who are the parents of children under five years of age and are enrolled in a child care or preschool program provisions of Family School Partnership Act (AB 2590), which permit employees to utilize existing vacation, personal leave, compensatory time off or leave without pay to participate in the school activities of their children who are enrolled in kindergarten through twelfth grade, and instruct Director of Personnel to work with all departments to implement and inform employees of this new provision of the Family School Partnership Act. APPROVED
(CRON NO. 96031LAC0025)

Absent: Supervisor Molina

Vote: Unanimously carried
