

**CITY PROPOSAL TO MEF – HOUSEKEEPING FOR BEREAVEMENT LEAVE**

City Proposed Language:

**ARTICLE 10 LEAVES**

10.5 Bereavement Leave. Employees shall be entitled to use bereavement leave for up to five (5) days due to the death of a qualifying relative. The days of bereavement leave need not be consecutive. Each full-time or benefited part-time employee shall be granted bereavement leave with full pay for up to forty (40) work hours to attend to the customary obligations arising from the death of any of the following relatives of such employee or employee's spouse or employee's domestic partner. Due to the employee's regular work schedule, if the five (5) day entitlement exceeds forty hours, employees may supplement the remaining time off using their accrued leave balances, including, but not limited to, sick leave. All leave must be used within ~~thirty (30) calendar days~~ three (3) months following the death of an eligible person. Under extreme circumstances, the ~~thirty (30) day~~ 3-month requirement may be waived by the Director of Employee Relations. The decision of the Director of Employee Relations shall be final, with no process for further appeal. Bereavement leave compensation shall be granted to eligible part-time employees on the same basis and subject to the same restrictions, conditions and limitations as apply to such leave with pay and such compensation for full-time employees; provided, however, that each eligible part-time employee shall be entitled to bereavement leave with pay for a number of hours based on the number of hours per week such part-time employee is indefinitely assigned to work in the employee's regularly scheduled part-time position.

Such number of hours shall be in accordance with the following hours per week scheduling:

<u>Regularly Scheduled Hours Per Week</u>	<u>Hours of Bereavement Leave with Pay</u>
30-34 Hours	Up to 30 Hours
25-29 Hours	Up to 25 Hours
20-24 Hours	Up to 20 Hours

a.	Parents/Step-parents
b.	Spouse
c.	Child/Step-child (including miscarriage or stillbirth)
d.	Brother/Sister/Step-brother/Step-sister/Half-brother and Half-sister
e.	Grandparents/Step-grandparents
f.	Great grandparents/Step-great grandparents
g.	Grandchildren
h.	Sister-in-law/Brother-in-law/Daughter-in-law/Son-in-law
i.	Domestic partner

Each unbenefited part-time employee shall be granted unpaid bereavement leave for five (5) days and may use their accrued leave balances, including, but not limited to sick leave.

## 2023 CITY OF SAN JOSÉ – MEF NEGOTIATIONS

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- 10.5.1 A domestic partner, as referenced in Section 10.5, must be the domestic partner registered with the Department of Human Resources.
- 10.5.2 Anything herein above to the contrary notwithstanding, no such employee shall be ~~granted~~ entitled to compensation for bereavement leave in the event of the death of any of the above relatives, if such employee is not scheduled to work when such bereavement leave is required.