

Memorandum of Understanding Regarding Reproductive Loss Leave

The Los Angeles Community College District (the “District”) and the American Federation of Teachers College Guild Local 1521 (the “AFT”) agree to the following addition to Article 25 of the 2023-2026 Agreement.

Purpose: On October 11, 2023, Governor Gavin Newsome signed SB 848 into law which requires employers to provide reproductive-related loss leave of absence. This leave allows employees to take up to five (5) days of leave following a reproductive loss event. This law went into effect January 1, 2024. The District shall fully comply with this legislation.

S. Reproductive Loss Leave (Mandatory)

1. Definition

A reproductive loss event as defined in Government Code 12945.6.

Reproductive loss event means the day or, for a multi-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth or an unsuccessful assisted reproduction.

Definitions of the above are as follows:

- a. **Failed adoption:** means 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 a person who would have been a parent of the adoptee if the adoption had been completed.
- b. **Failed surrogacy:** means the dissolution or breach of a surrogacy agreement, or a failed embryo transfer to the surrogate. This event applies to a person who would have been a parent of a child born as a result of the surrogacy.
- c. **Miscarriage:** means a miscarriage by a person, by the person’s current spouse or domestic partner, or by another individual who would have been a parent of a child born as a result of the pregnancy.

d. **Stillbirth:** means a stillbirth resulting from a person’s pregnancy, the pregnancy of a person’s current spouse or domestic partner, or another individual who would have been a parent as a result of the pregnancy that ended in stillbirth.

e. **Unsuccessful assisted reproduction:** means an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure (i.e., artificial insemination or an embryo transfer, including gamete and embryo donation). Assisted reproduction does not include reproduction through sexual intercourse. This event applies to a person, the person’s current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy.

2. Requirements

Employees are eligible for reproductive loss leave if they’ve been working for the employer for at least thirty (30) days prior to the leave’s start and suffer a qualifying event. The District will maintain the confidentiality of any employee requesting a reproductive loss leave.

3. **Length of Leave:** An employee shall be allowed up to five (5) days of unpaid reproductive loss leave and shall complete such leave within three (3) months of the end date of the event entitling the employee to the leave. Employees who experience more than one (1) reproductive loss are limited to twenty (20) days of reproductive loss leave within a 12-month period.

4. The District shall allow the days an employee takes for reproductive loss leave to be nonconsecutive.

5. **Compensation:** Unpaid leave. Applicable quotas such as vacation, illness, or compensatory time off, may be used concurrently for Reproductive Loss Leave.

6. **Documentation:** No documentation to certify reproductive leave is required.

For the District:

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For the AFT Guild:

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