

Happy New Year everyone! I hope 2024 is off to a fantastic start! I'm looking forward to this year and have set some great goals for the FDSA.

One of them is to educate and inform members monthly about benefits and the details contained in the Memorandum of Understanding (MOU). The MOU governs specifics related to hours, wages and working conditions.

These will be educational for those newer FDSA members and a refresher for those who have been here for a while. I want you to be aware of agreements related to your employment. As always, should there be questions, please don't hesitate to contact me for any clarification.

The first two items I will be including are bereavement leave and schedule changes.

## **ARTICLE 20 - BEREAVEMENT LEAVE**

*Each employee occupying a full-time, permanent position shall be eligible for paid Bereavement Leave up to twenty-four (24) working hours per bereavement for the death of a qualifying relative. Employees who work less than 80% of a full-time position shall be eligible for up to twelve (12) hours of paid Bereavement Leave per bereavement for the death of a qualifying relative. All leave must be requested, approved, and completed within six months of the qualifying relative's death. A qualifying relative shall be defined as the employee's: legally recognized spouse, mother, step-mother, father, step-father, brother, step-brother, sister, step-sister, child, step-child (including California Health and Safety Code, Section 102950), grandmother, step grandmother, grandfather, step-grandfather, grandchild, or step-grandchild. Also qualifying shall be an employee's corresponding relative through their legally recognized spouse: spouse's mother, spouse's father, spouse's brother, spouse's sister, spouse's child, (including California Health and Safety Code, Section 102950), spouse's grandmother, spouse's grandfather, or spouse's grandchild.*

*Employees granted Bereavement Leave shall only be paid for any work hours regularly scheduled but not worked. For example, an employee who regularly has Fridays off is not eligible to use Bereavement Leave on a Friday. Employees must maintain active payroll status to be eligible for Bereavement Leave. Active payroll status is defined as receiving any type of pay from the County (e.g. Annual Leave, Sick Leave, Vacation). If an employee is not receiving any pay from the County, they are deemed to be on inactive payroll status and not eligible for Bereavement Leave (e.g. unpaid leave of absence). Employees may substitute Bereavement Leave for available Annual Leave when integrating with State Disability Insurance. Employees may request use of Annual Leave when the employee desires additional time off for bereavement-related purposes. Approval by the Department of total Bereavement Leave hours permitted (including any additional Annual Leave requested) will be based on operational need. Employees*

*taking Bereavement Leave shall submit a written statement under penalty of perjury on the Leave Request and Certification Form.*

Questions have arisen from time to time as to who qualifies and how the qualification affects the member. Recently, under FMLA, there were additional relationships added to the article. This is important, because we should be allowed to grieve with family when there is a death. Based on the article, 24 hours is a firm number that can only be altered/increased through contract negotiations.

### **Schedule Changes**

Below is a memo written by Sheriff Richard Pierce over 22 years ago about staffing and a changing of schedule. This memo is embedded into the MOU and therefore part of it. We have maintained the 'two-week notice' rule at the Sheriff's Office throughout these 22 years. Meaning, although the language is not a *shall*, we have operated as such over the years. The onus is on the agency to explain to labor why two weeks is not possible. The employee can waive the two-week time restriction. However, if not waived, this memo applies.

DATE: December 18, 2001

TO: Sheriff's Department Executive Staff

FROM: Sheriff Richard Pierce

SUBJECT: Schedule Changes and Holiday Schedules

I am issuing this memorandum to executive staff clarifying my position regarding advance notice to employees when their regular days off and/or work hours are changed and changing employee's regular days off solely because their RDO falls on a holiday. The following sets out my position:

1. Notice of Schedule Changes: Each supervisor and manager should try to give employees at least two weeks' notice, or as much notice as possible, when changing employee's RDO and/or hours to meet departmental needs.
2. Holiday Schedules: Supervisors and managers are not to change any employee's RDO solely because the employee's day off falls on a County paid holiday. Please make sure that supervisors and managers in your Bureau understand my position with respect to each of these issues.

## **Thank you!**

I wanted to take the time to thank you all for the calls and messages you sent last month. My son is out of the hospital and healing from the accident he was involved in on Thanksgiving. Thanks to modern medicine, amazing doctors and countless prayers he is on the road to recovery. During this difficult time, my family felt so loved by the outpouring from so many of you. I appreciate you and want you to know how grateful we feel for your compassion and care.

I am happy to report I am now available 24/7 for any needs you have or issues that may arise.

Again, Happy New Year!!

Best,

Eric