

City of Richmond

Administrative Policy Manual

SUBJECT: Reproductive Loss Leave

SECTION: Human Resources Department

POLICY NUMBER: AP 314

INITIAL DATE PREPARED: May 7, 2024

LAST DATE REVISED:

I. Purpose

California Government Code Section 12945.6 provides unpaid protected reproductive loss leave following a reproductive loss event as defined in the government code.

II. Policy

Pursuant to California state law, all employees are eligible for unpaid leave up to five (5) days in any single event of a reproductive loss event if they have been employed for at least 30 days prior to the start of leave. A “reproductive loss event” is a failed adoption, failed surrogacy, miscarriage, stillbirth, or unsuccessful assisted reproduction, as defined under Government Code Section 12945.6:

- “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.
- “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.
- “Miscarriage” means a miscarriage by a person, by the person’s current spouse or domestic partner, or by another individual if the person would have been a parent of a child born as a result of the pregnancy.
- “Stillbirth” means a stillbirth resulting from a person’s pregnancy, the pregnancy of a 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 that ended in stillbirth.
- “Unsuccessful assisted reproduction” means an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure. 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.

Employees may use such leave on a non-consecutive basis and such leave must be completed within three (3) months from date of the reproductive loss event.

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An employee is not entitled to more than 20 days of reproductive loss leave within a 12-month period of time regardless of the number of loss leave events the employee experiences.

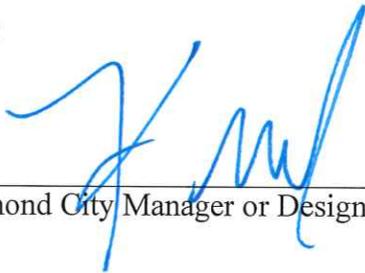
Documentation is not required to support a request for reproductive loss leave.

To remain in paid status during any, otherwise, unpaid reproductive loss leave taken under this Policy, employees may use their vacation, accrued and available sick leave, floating holidays, administrative leave, and/or compensatory time-off.

III. Procedure

An employee who utilizes reproductive loss leave shall notify their supervisor or Department Head of their intent to use such leave according to the Department's procedure. An employee must record the absence using the department's applicable City leave system (e.g., ESS).

APPROVED:



City of Richmond City Manager or Designee

5/7/24

Date