

# CITY PROPOSAL #1 – 8/12/2024

## SECTION 21: BEREAVEMENT LEAVE

### 21.1 Benefit and Covered Individuals

In the case of death within the immediate family of an employee, the employee shall be entitled to remain absent from duty with pay in order to grieve the passing of a loved one, for a period not to exceed ~~three (3)~~ five (5) working days, Three (3) working days shall be with pay. Two (2) working days shall be unpaid except that an employee may use available, accrued sick leave, vacation, or compensatory time, for two (2) working days or, in the case of attending a service outside the State of California, ~~for a period not exceeding~~ all five (5) working days shall be with pay. Bereavement leave need not be taken in consecutive days but shall be taken within ~~twenty (20) days~~ three (3) months of the death of the immediate family member. The immediate family of an employee, for the purpose of this Section, shall be defined as: spouse, domestic partner, child, child-in-law, step-child, child of the domestic partner, foster child, parent, parent-in-law, or parent of domestic partner, sibling, step-sibling, sibling-in-law, grandparent, grandparent-in-law, or grandparent of domestic partner, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandchildren, aunt, uncle, any relative living in the immediate household of the employee, or any other person sharing the relationship of in loco parentis, or dependent.

Except as provided above, bereavement Leave shall not be charged against vacation or sick leave to which an employee may be entitled, but shall be in addition thereto. Employees may request, and the City will make reasonable efforts to accommodate requests, for employees to supplement bereavement leave by using accrued vacation, compensatory time, or floating holiday. All accrued leave (and/or sick leave, if applicable) shall be utilized prior to taking a leave of absence without pay.

In special cases, with the approval of the Department Head, the City Manager or in the Library, the Director of Library Services may grant a death leave to allow an employee to attend funeral or memorial services because of the death of a person not included within the definition of the immediate family. This leave shall not be unreasonably denied.

In order to be eligible for Bereavement Leave as noted above, employees are required to complete and submit the City of Berkeley Bereavement Leave Statement as provided in the City policy. Employees shall not be required to provide an obituary.

### 21.2 Bereavement Leave for Part-Time Employees

An employee working on a part-time basis shall be entitled to use bereavement leave only on a pro rata basis.