

February 14, 2023

**NB-18**

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Request the City Attorney to prepare a Resolution declaring that the Supplemental Sick Leave Ordinance sunset on February 21, 2023; and, direct the City Attorney's Office to prepare an Ordinance repealing Ordinance ORD 20-0017, Section 8.100 to implement the sunset of the Ordinance. (Citywide)

**DISCUSSION**

On April 14, 2020, the City Council responded to the emerging COVID-19 pandemic by protecting workers through a request for the development of a COVID-19 Paid Supplemental Sick Leave Ordinance. This Ordinance was adopted on May 19, 2020. While the federal COVID-19 Paid Supplemental Sick Leave provided under the Families First Coronavirus Response Act provided paid supplemental sick leave to some workers, the City of Long Beach's (City) COVID-19 Paid Supplemental Sick Leave expanded eligibility for this important benefit. The City was among the first municipalities to address this issue.

The Federal paid leave under the Families First Coronavirus Response Act expired on December 31, 2020. In September 2020, the State established its COVID-19 Supplemental Paid Sick Leave to protect workers, families, and communities in the continuing COVID-19 pandemic. California's 2022 COVID-19 Supplemental Paid Sick Leave continued this State protection through December 31, 2022.

Since the City's early adoption of COVID-19 Paid Supplemental Sick Leave, the State responded with additional worker benefits including:

- AB 1949 requiring employers to provide at least five (5) bereavement days.
- SB 951 increasing wage replacement rates to 90 percent for low wage workers.
- AB 1947 extends the statute of limitations to file a claim under Labor Code section 98.7 with the Division of Labor Standards Enforcement (DLSE) from six months to one year.
- AB 3075 creates new Labor Code section 200.3 providing that a "successor" to any judgment debtor will be liable for any wages, damages, and penalties owed to a judgment debtor's workforce pursuant to a final judgment.

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- SB1383 expands California’s Family Rights Act (CFRA) to cover employers of 5 or more employees.
- AB 2017 allows employees to designate sick leave for reasons other than the employee’s own illness or care as specified in California’s sick leave law.
- AB 2399 expands Paid Family Leave (“PFL”) wage replacement benefits from the State of California to cover employees who take time off work due to a “qualifying exigency” relating to the covered active duty or call to covered active duty in the U.S. Armed Forces of the employee’s spouse, domestic partner, child, or parent.
- AB 2992 expands the scope of the crimes, victims, and leave purposes to employer obligation to provide unpaid time off to employees who are victims of domestic violence, sexual assault or stalking to obtain restraining orders, or appearing in court to obtain relief to ensure their health, safety, or welfare, or that of their child, and to make reasonable accommodations to ensure their safety at work.
- AB 1041 allows employees to take leave to care for an additional “designated person,” defined under the CFRA as an individual related to the employee by blood or whose association with the employee is equivalent to a family relationship.

Pursuant to City Council direction provided on December 7, 2021, and discussion on February 15, 2022, the City Council intended to sunset the referenced COVID-19 Paid Supplemental Sick Leave Ordinance described in Section 8.100 of the Long Beach Municipal Code. The requested action shall clearly and definitively sunset Long Beach Municipal Code Section 8.100 on February 21, 2023.

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley and Budget Operations and Development Officer Rhutu Amin Gharib on February 6, 2023.

TIMING CONSIDERATIONS

Approval for this item is requested on February 14, 2023, to facilitate the timely sunset of the provision.

FISCAL IMPACT

There is no fiscal or local job impact associated with this item. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities.

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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



BO MARTINEZ

DIRECTOR OF ECONOMIC DEVELOPMENT

APPROVED:



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THOMAS B. MODICA  
CITY MANAGER

## REQUEST TO ADD AGENDA ITEM

**Date:** February 10, 2023

**To:** Monique De La Garza, City Clerk

**From:** Thomas B. Modica, City Manager 

**Subject:** Request to Add Agenda Item to Council Agenda of February 14, 2023

Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

**Request the City Attorney to prepare a Resolution declaring that the Supplemental Sick Leave Ordinance sunset on February 21, 2023; and, direct the City Attorney's Office to prepare an Ordinance repealing Ordinance ORD 20-0017, Section 8.100 to implement the sunseting of the Ordinance. (Citywide)**

<b>Council District</b>	<b>Authorizing Councilmember</b>	<b>Signed by</b>
2	Cindy Allen	(Digital – attached email)
7	Roberto Uranga	(Digital – attached email)
9	Ricks-Oddie	(Digital – attached email)