

State of California

MEMORANDUM

TO: PERSONNEL MANAGEMENT LIAISONS DATE: May 11, 1995
REFERENCE CODE: 95-026

THIS MEMORANDUM SHOULD BE DISTRIBUTED TO:

Personnel Officers
Employment Relations Officers

FROM: Department of Personnel Administration
Office of the Director

SUBJECT: Family School Partnership Act

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The Governor has signed Assembly Bill 2590 (Chapter 1290, 1994), effective in calendar year 1995. This bill amends Labor Code Section 230.8 to allow eligible State civil service and related employees to use up to 40 hours of vacation, annual leave, personal leave, or compensating time off to participate in school activities of any of their children attending kindergarten or grades 1 to 12. Eligible employees include a parent, guardian, or grandparent having custody of the child. If both parents are employed at the same worksite, only one must be allowed to attend.

The employee, prior to taking the time off, must give reasonable notice to the employer of the planned absence. Time off may not exceed eight hours in any calendar month of the school year. The employee shall use existing vacation, annual leave, personal leave, or compensating time off unless otherwise provided in a collective bargaining agreement entered into before January 1, 1995 and still in effect during the planned absence. Unpaid leave may only be used with the consent of the employer.

All current State collective bargaining agreements provide that the appointing authority has the discretion to determine when annual leave, vacation, personal leave, and compensating time off may be taken. Any dispute resulting from the denial of leave to a represented employee is subject to the grievance and arbitration process specified in the appropriate Memorandum of Understanding. A dispute of an excluded employee should be directed to the Department of Industrial Relations.

The employee, if requested by the employer, shall provide written documentation from the school to verify he or she participated in the school activity on the specified date and time.

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The Department of Industrial Relations is charged with administering the provisions of the Labor Code and questions relating to the administration of this statute should be directed to their staff in the local Division of Labor Standards Enforcement. However, questions concerning collective bargaining agreements covering State employees should be directed to the Department of Personnel Administration's Labor Relations Division at (916) 324-0476, CALNET 454-0476.



Lillian Rowett
Chief Deputy Director