

13-0909

JUL 26 2013

MOTION

ENERGY & ENVIRONMENT

The Los Angeles Times, on July 26, 2013, published a remarkable front-page story, written by Jack Dolan, detailing the Los Angeles Department of Water and Power's unlimited sick pay policy. According to The Times, "DWP employees benefit from a 32-year-old policy that allows them to take paid days off well beyond the agency's 10-day-a-year cap on sick days... In fact, records and interviews show, there is no limit to the paid time off DWP employees can take when they say they're sick, and requirements to provide medical proof of their illness have been loosely enforced," with a significant percentage of employees failing to supply a verifying doctor's note when such notes are supposed to be provided.

The Times reports that "DWP officials, noting that they were not around when the sick pay policy was adopted in 1981, said they could not find a written rationale for the unlimited extra days. Since 2010, workers have taken 103,802 extra sick days, the equivalent of 415 years."

The Times' story says that the DWP "has paid thousands of employees a total of \$35.5 million since 2010 in extra sick days under an unusual program that the utility's top executive acknowledges has been vulnerable to abuse... Last year, 10% of the department's roughly 10,000 employees took at least 10 extra days off, the data show. More than 220 took an extra 20 days off, or about a month, according to a Times examination of data obtained under the California Public Records Act... The records show one senior accountant averaged 49 extra sick days each year from 2010 to 2012. A security guard averaged 43 extra days. A customer service representative averaged 38 extra days. That's roughly two months off at full pay, per year, for each of the three employees. It doesn't include regular sick days, paid vacation days, holidays or 'personal' days... (Customer service representatives) took 4,632 extra days in 2012 and were paid \$1.3 million for that time. About 35% of them took no extra days, but the remainder averaged 11 extra days off. One customer service employee took an extra 56 sick days. Two took 50 days each, the data shows."

When a DWP employee calls in sick, the first two days are taken out of the employee's allotment of sick days, but then an employee may take the next eight straight work days off, at full pay, without further reducing the allotted number of sick days, without any doctor's note. If the employee, having returned to work, then reports having a relapse within 21 days, an unlimited number of days may be taken, without any reduction in the employee's allotted number of sick days, though a doctor's note is then supposed to be provided.

Clearly, a huge number of DWP employees do not exploit this policy, but equally clearly, this policy permits abuse and lack of accountability, with the city and the city's ratepayers all at risk – along with the morale and quality of the service of the DWP, because if and when some staff fail to show up and without good cause being provided, the remaining staff must scramble to make up for their absence. The Times states that "Los Angeles' chief administrative officer, Miguel Santana, said the simplest way to curb abuse would be for the DWP to follow the City Hall policy of requiring a doctor's note for an absence longer than three days."

While personnel issues are certainly and appropriately treated with discretion, according to legal stricture and privacy rights when such are deemed applicable, there is an absolute need, for the sake of the city's quality of service and economic well-being, for these policy and programmatic issues to be explored promptly and publicly.

I THEREFORE MOVE that any and all appropriate and applicable management and representatives of the Los Angeles Department of Water and Power, joined by city ratepayer advocate Fred Pickel, report back to the Los Angeles City Council regarding this policy and program and any possible abuses and reforms, within 30 days.

Presented by:

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Seconded by:

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July 26, 2013

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