



Legislation Details (With Text)

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On agenda: 10/10/2019 **Final action:** 10/10/2019

Title: BILL - (For introduction) - Adding the Toni Hunter Organ Donor Protection Act, Section 3-126 to the Fresno Municipal Code related to paid leave for organ and bone marrow donors.

Sponsors: Mike Karbassi, Luis Chavez, Paul Caprioglio, Esmeralda Z. Soria

Indexes:

Code sections:

Attachments: 1. FMC 3-126 Ordinance.pdf

Date	Ver.	Action By	Action	Result
10/10/2019	1	City Council	approved as amended	Pass

REPORT TO THE CITY COUNCIL

October 10, 2019

FROM: DOUGLAS T. SLOAN, City Attorney
City Attorney’s Office

BY: STEPHANIE M. SNYDER, Senior Deputy City Attorney
City Attorney’s Office

SUBJECT

BILL - (For introduction) - Adding the Toni Hunter Organ Donor Protection Act, Section 3-126 to the Fresno Municipal Code related to paid leave for organ and bone marrow donors.

RECOMMENDATION

Approve the attached ordinance adding the Toni Hunter Organ Donor Protection Act, Section 3-126 to the Fresno Municipal Code related to paid leave for organ and bone marrow donors.

EXECUTIVE SUMMARY

The attached ordinance adds a section to the Fresno Municipal Code granting up to 30 days paid leave to employees who require leave to donate major or vital organs or bone marrow, and is consistent with existing state and federal statutes providing paid leave for such donors who are employed by private sector, state, or federal employers, but which do not apply to the City.

BACKGROUND

The City, as a Charter City, is exempt from various state and federal statutes which provide certain benefits to employees in the private sector, and state and federal employment, including paid leave for employees donating organs or bone marrow.

The proposed ordinance adds a section to the Fresno Municipal Code providing paid leave for those employees who are willing and able to act as living major or vital organ and bone marrow donors, consistent with existing state and federal law. The proposed ordinance would provide pay and

continuation of benefits to an employee on a leave of absence related to such major or vital organ or bone marrow donation for up to 30 days for an organ donor or five days for a bone marrow donor, after the employee provides written verification from a physician of the medical necessity of their donation. Additionally, the leave provided for under the proposed ordinance would not run concurrently with any leave taken by the employee pursuant to Family and Medical Leave Act or the California Family Rights Act.

ENVIRONMENTAL FINDINGS

N/A

LOCAL PREFERENCE

N/A

FISCAL IMPACT

The Fiscal Impact is negligible, as the proposed ordinance only grants up to 30 days paid leave to those employees who are actually living major or vital organ donors or up to five days for bone marrow donors, a class of people who will not likely include a large number of qualifying employees.

Attachment: Proposed Ordinance.