I’m a survivor

**domestic violence, stalking, sexual assault + MY JOB**

**WHAT YOU CAN DO:**

**JOB PROTECTION**
- Need time off from your job?

**LAB. CODE**
- CALIFORNIA LABOR CODE § 230(C)
  - Applies to all employers
  - Job-protected, unpaid leave to attend court to ensure your or your child’s health, safety or welfare

**LAB. CODE**
- CALIFORNIA LABOR CODE § 230.1
  - 25+ employees

**CFRA***
- CALIFORNIA FAMILY RIGHTS ACT
  - 1+ year of service
  - 1250+ hrs of work in previous year
  - 5+ employees

**STATE DISABILITY INSURANCE**
- Unable to work, or working less, due to disability
- Paid into SDI fund during base period
- Up to 60% or 70% of weekly wages, depending on income, for a max. of 52 weeks, after 1-week waiting period
- Apply at www.EDD.ca.gov

**UNEMPLOYMENT INSURANCE**
- Able to work but unemployed or working less through no fault of your own, including when forced to leave job due to domestic violence
- Up to $450 per week for a max. of 26 weeks, after 1-week waiting period
- Apply at www.EDD.ca.gov

**SDI**
- SAN FRANCISCO PAID SICK/SAFE DAYS
  - Worked at least 90 days
  - Ill or medical appointments, DV/SA counseling, safety planning, other services related to DV/SA
  - Accrue 9 days (if 10+ employees); 5 days (if less than 10)
- Protection from retaliation
- Go to sfgov.org/olse/pslo

**LAB. CODE**
- CALIFORNIA LABOR CODE § 230(F)
  - Applies to all employers
  - Survivors may request reasonable safety-related accommodations
- Protection from discrimination and retaliation
- Go to www.dir.ca.gov/dlse

**ADA / FEHA**
- AMERICANS WITH DISABILITIES ACT
  - 15+ employees

**LAB. CODE**
- CALIFORNIA LABOR CODE § 230(E)
  - Applies to all employers
  - Protection from discrimination and retaliation

**PSD**
- FAIR EMPLOYMENT & HOUSING ACT
  - 5+ employees;
  - 1+ employee for harassment

**HOW THIS MIGHT WORK**

Lena is a survivor of DV and has depression. She needs 12 weeks off from work for treatment. When she returns to work, she needs to change her phone number and email address to prevent contact from her abuser at work.

**LEGAL AID AT WORK**

Call 888-864-8335
legalaidatwork.org

Legal Aid at Work cannot ensure this information is current or be responsible for any use to which it is put. For the most up to date information, please visit www.legalaidatwork.org. Updated 2021

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*If you also qualify for the federal Family & Medical Leave Act (FMLA), it will run at the same time as your leave under these state laws. It does not provide you with more leave.

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**All of these rights and protections, except for Unemployment Insurance, are available regardless of immigration status.**
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THESE LAWS MAY HELP:

**CALIFORNIA FAMILY RIGHTS ACT**
- Job-protected, unpaid leave for a max. of 12 weeks to care for a seriously ill family member (can be taken intermittently)
- Continuation of health benefits

**CALIFORNIA PAID FAMILY LEAVE**
- On leave to care for a seriously ill family member
- Paid into SDI fund during base period

**SF PAID SICK DAYS**
- Work in San Francisco
- Worked at least 90 days

**CA PAID SICK DAYS**
- Worked at least 90 days

**UNEMPLOYMENT INSURANCE**
- Able to work but unemployed or working less through no fault of your own (laid off/fired, leave not granted, etc.)
- Up to $450 per week for a max. of 26 weeks, after 1-week waiting period

**SF FAMILY FRIENDLY WORKPLACE ORDINANCE**
- Right to request flexible or predictable work arrangements to help with family caregiving

**MODELS OF CARE**
- Job-protected leave
- Flexible schedule

Cory needs 12 weeks off to care for his mother who has post traumatic stress disorder (PTSD). After that, he needs a flexible schedule to help her with follow up medical treatment.