I have cancer

cancer + MY JOB

I have rights related to:

**JOB PROTECTION**

Need time off from your job?

**WAGE REPLACEMENT**

Need income while you aren’t working?

**ACCOMMODATIONS AND EQUALITY**

Need accommodations? Facing discrimination?

**HOW THIS MIGHT WORK**

Alex needs 12 weeks off for cancer treatment. His doctor then extends his leave by 3 weeks.

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**THESE LAWS MAY HELP:**

**FMLA/CFRA**

**FAMILY MEDICAL LEAVE ACT / CALIFORNIA FAMILY RIGHTS ACT**
- 1+ year of service
- 1250+ hrs of work in previous year
- 50+ employees w/in a 75 mile radius
- Job-protected, unpaid leave for a max. of 12 weeks (can be taken intermittently)
- Continuation of health benefits
- Request from your employer

**ADA/FEHA**

**AMERICANS WITH DISABILITIES ACT**
- 15+ employees
**FAIR EMPLOYMENT & HOUSING ACT**
- 5+ employees
- Job-protected leave as a “reasonable accommodation”
- Request from your employer (See sample letters at www.legalaidatwork.org)

**SDI**

**STATE DISABILITY INSURANCE**
- Unable to work, or working less, due to disability
- Paid into SDI 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

**CA PAID SICK DAYS**
- Worked at least 90 days
- Ill or medical appointments
- Accrue 1 hour for every 30 hours worked up to a max. of 6 days per year
- Employer may cap use at 3 days per year
- Request from your employer

**UI**

**UNEMPLOYMENT INSURANCE**
- Able to work but unemployed or working less through no fault of your own (laid off/fired, leave not granted)
- Protection from retaliation
- Go to dlse.ca.gov
- Up to $450 per week for a max. of 26 weeks, after 1-week waiting period
- Apply at www.EDD.ca.gov

**ADA / FEHA**

**AMERICANS WITH DISABILITIES ACT**
- 15+ EMPLOYEES
**FAIR EMPLOYMENT & HOUSING ACT**
- 5+ employees;
- 1+ employee for harassment
- Changes to the way you do your job (such as working part-time, telecommuting, or using specialized equipment) or transfer
- Request from your employer (See sample letters at www.legalaidatwork.org)
- Protection from discrimination, harassment, and retaliation
- Go to eeo.c.gov or dfeh.ca.gov

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**HERE’S WHAT TO DO:**

**FAMILY MEDICAL LEAVE ACT / CALIFORNIA FAMILY RIGHTS ACT**
- Request from your employer

**STATE DISABILITY INSURANCE**
- Apply at www.EDD.ca.gov

**CA PAID SICK DAYS**
- Request from your employer

**UNEMPLOYMENT INSURANCE**
- Apply at www.EDD.ca.gov

**AMERICANS WITH DISABILITIES ACT**
- Request from your employer (See sample letters at www.legalaidatwork.org)

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**LEGAL AID AT WORK**

Call 877-350-5441
legalaidatwork.org
disability@legalaidatwork.org

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Created with support from the Mount Zion Health Fund & the Skadden Foundation.
**I’m a caregiver in California**

**Caregiving + My Job**

**I have rights related to:**
- **Job Protection**
- **Wage Replacement**
- **Accommodations and Equality**

**Need time off from your job?**

**Need income while you aren’t working?**

**How this might work**

Marta needs 12 weeks off to care for her mom while she recovers from surgery. After that, Marta needs a flexible schedule to help with follow-up care.

**These laws may help:**

- **FAMILY MEDICAL LEAVE ACT / CALIFORNIA FAMILY RIGHTS ACT**
  - 1+ year of service
  - 1250+ hrs of work in previous year
  - 50+ employees within 75 miles

- **FPL (CALIFORNIA PERSONAL LEAVE ACT)**
  - Caring for a seriously ill family member
  - Paid into SDI fund during base period

- **CA PAID SICK DAYS**
  - Worked at least 90 days
  - Ill, caring for ill child, or medical appointments

- **UNEMPLOYMENT INSURANCE**
  - Able to work but unemployed or working less through no fault of your own (laid off/fired, leave not granted, etc.)

- **SF FAMILY FRIENDLY WORKPLACE ORDINANCE**
  - Work in San Francisco
  - Worked at least 6 months
  - 20+ employees

**Because they provide for:**

- Job-protected, unpaid leave for a max. of 12 weeks to care for a seriously ill family member
- Continuation of health benefits

**Here’s what to do:**

- **Request from your employer**
  - **FMLA / CFRA** (FAMILY MEDICAL LEAVE ACT / CALIFORNIA FAMILY RIGHTS ACT)
  - **PFL (CALIFORNIA PERSONAL LEAVE ACT)**
  - **PSD (PARENTAL SICK DAYS)**
  - **UI (UNEMPLOYMENT INSURANCE)**
  - **SF FFWO (SF FAMILY FRIENDLY WORKPLACE ORDINANCE)**

- **Need income while you aren’t working?**
  - **WAGE REPLACEMENT**

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

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