I have cancer
in CALIFORNIA

I have rights related to:

**JOB PROTECTION**

Need time off from your job?

**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)

**STATE DISABILITY INSURANCE**
- **SDI**
  - 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

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

**AMERICANS WITH DISABILITIES ACT**
- **ADA / FEHA**
  - 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
  - Protection from discrimination, harassment, and retaliation
  - Request from your employer
  - (See sample letters at www.legalaidatwork.org)
  - Go to eeoc.gov or dfeh.ca.gov

**HOW THIS MIGHT WORK**

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

**JOB PROTECTION**
- **FMLA/CFRA**
  - **job-protected leave**
  - **WAGE REPLACEMENT**
  - **ACCOMMODATIONS AND EQUALITY**

**WAGE REPLACEMENT**
- **STATE DISABILITY INSURANCE**
  - **SDI**
  - Wage replacement

**ACCOMMODATIONS AND EQUALITY**
- **ADA/FEHA**
  - **extended leave as an accommodation**

Legal Aid at Work cannot ensure this information is current or be responsible for any use to which it is put.

Created with support from the Mount Zion Health Fund & the Skadden Foundation.
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

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.

I'm a caregiver in CALIFORNIA

see other side for

I have cancer

I have caregiving + MY JOB

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:

Because they provide for:

Here's what to do:

**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 75 miles

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

Request from your employer

**PFL**

CA PAID FAMILY LEAVE

- Caring for a seriously ill family member
- Paid into SDI fund during base period

- Up to 60% or 70% of weekly wages, depending on income, for a max. of 6 weeks (can be taken intermittently)

Apply at www.EDD.ca.gov

**PSD**

CA PAID SICK DAYS

- Worked at least 90 days
- Ill, caring for ill family member, 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, etc.)

- Up to $450 per week for a max. of 26 weeks, after 1-week waiting period

Apply at www.EDD.ca.gov

**SF FFWO**

SF FAMILY FRIENDLY WORKPLACE ORDINANCE

- Work in San Francisco
- Worked at least 6 months
- 20+ employees

- Right to request flexible or predictable work arrangements to help with family caregiving

Request from your employer

(See sample letters at www.legalaidatwork.org)

Go to sfgov.org/olse/ffwo

**Q U E S T I O N S ??**

Call 877-350-5441

legalaidatwork.org

disability@legalaidatwork.org

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