

I have **COVID-19** or have been exposed

in **CALIFORNIA**

see other side for

COVID-19 care-giver

COVID-19 + MY JOB

All of these rights and protections, except for Unemployment Insurance, are available regardless of immigration status.



PAID SICK TIME

(Use this first)

Local laws may provide additional paid sick time



JOB-PROTECTED LEAVE

In 2021, CFRA will be available to employees working at employers with 5+ employees



PAY

If you might have contracted COVID-19 at work, you may be eligible for pay through workers' compensation. Learn more at dir.ca.gov/dwc/

HOW THIS MIGHT WORK

Ed is exposed to COVID-19 and his doctor tells him to get tested and quarantine. Ed tests positive and has lasting symptoms.

THESE LAWS MAY HELP:

Because they provide for:

Here's what to do:

FFCRA

FAMILIES FIRST CORONAVIRUS RESPONSE ACT

- fewer than 500 employees
- health care workers and emergency responders can be excluded
- through end of 2020

- 2 weeks job-protected paid sick leave if subject to shelter in place order, told to quarantine by healthcare provider or have symptoms and seeking COVID-19 test

Request from your employer

Call DOL:
1-866-487-9243

CA COVID PSL

CA COVID-19 SUPPLEMENTAL PAID SICK LEAVE

- 500+ employees OR health care worker or emergency responder excluded from FFCRA
- through end of 2020

- 2 weeks job-protected paid sick leave if leave home for work and subject to quarantine or isolation order or told to stay home by healthcare provider or employer due to COVID-19 concerns

Request from your employer

Go to dlse.ca.gov

CA PSD

CA PAID SICK DAYS

- Worked at least 90 days
- For illness, medical appointments, or preventative care

- Job-protected paid sick leave accrued at a rate of 1 hour for every 30 hours worked
- Employer may cap use at 3 days per year

Request from your employer

Go to dlse.ca.gov

CFRA/FMLA

CALIFORNIA FAMILY RIGHTS ACT / FAMILY MEDICAL LEAVE ACT

- 1+ year of service
- 1250+ hours of work in previous year
- 50+ employees w/in 75 mile radius**

- 12 weeks job-protected leave if seriously ill (can be taken intermittently)
- Continuation of health benefits

Request from your employer

Go to dfeh.ca.gov

FEHA/ADA

CA FAIR EMPLOYMENT & HOUSING ACT

- 5+ employees

AMERICANS WITH DISABILITIES ACT

- 15+ employees

- Reasonable accommodations or changes to the way you do your job. Can include transfer, remote work, or job-protected leave

Request from your employer (See [sample letters at legalaidatwork.org](http://legalaidthatwork.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, (no waiting period if have COVID-19 diagnosis)

Apply at www.EDD.ca.gov

UI

UNEMPLOYMENT INSURANCE

- Able to work but unemployed or working less through no fault of your own (laid off/fired, leave not granted) OR unable to work for reasons related to COVID-19

- Up to \$450 per week for a max. of 59 weeks (no waiting period if unemployed due to COVID-19)

Apply at www.EDD.ca.gov

STEP 1. ASK FOR **CA COVID PSL** / **FFCRA** THEN **CA PSD**

Ed tells his employer that he has been exposed to COVID-19 and that his doctor told him to quarantine. Ed asks to use his paid sick time and tells his employer his expected return date.

STEP 2. REQUEST **CFRA/FMLA** FROM EMPLOYER AND APPLY FOR **SDI** FROM EDD

After using up his paid sick leave, Ed asks his employer for more time off under the CFRA/FMLA to protect his job and files for State Disability Insurance (SDI) through the **Employment Development Department (EDD)** for income.

Legal Aid at Work cannot ensure this information is current or be responsible for any use to which it is put. Legal rights vary based on individual circumstances. This is up to date as of November 2020. Created with support from Ascend at the Aspen Institute, the David and Lucile Packard Foundation, Blue Shield of California Foundation, the Walter and Elise Haas Fund, and The California Wellness Foundation. COVID-19 + My Job was created in collaboration with and informed by community health providers.

QUESTIONS ?
Call **800-880-8047**
or visit legalaidthatwork.org

**LEGAL
AID AT
WORK**

I'm a
COVID-19
caregiver

in CALIFORNIA

see other
side for

COVID-19 caregiving + MY JOB

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All of these rights and protections, except for Unemployment Insurance, are available regardless of immigration status.



PAID SICK TIME

(Use this first)

Local laws may provide additional paid sick time



JOB-PROTECTED LEAVE

In 2021, CFRA will be available to employees working at employers with 5+ employees and will cover more family members



PAY

HOW THIS MIGHT WORK

Luisa needs time off because her wife has COVID-19.
Anthony needs time off because his daughter's school has closed.

THESE LAWS MAY HELP:

FFCRA

FAMILIES FIRST CORONAVIRUS RESPONSE ACT

- fewer than 500 employees
- health care workers and emergency responders can be excluded
- through end of 2020

Because they provide for:

child

- Up to 2 weeks of job-protected paid leave (2/3 pay, up to a cap) to care for a sick or quarantined family member, or care for a child whose school or childcare is closed or unavailable due to COVID-19
- If worked for employer at least 30 days, up to 10 more weeks of job-protected paid leave (2/3 pay, up to a cap) to care for a child whose school or childcare is closed or unavailable due to COVID-19
- Employers with fewer than 50 employees may claim exemption from leave for childcare/school closure/unavailability, if leave would jeopardize the business

Here's what to do:

immediate family member

Request from your employer

Call DOL:
1-866-487-9243

CA PSD

child

parent

parent-in-law

spouse

domestic partner

sibling

grandparent

grandchild

CA PAID SICK DAYS

- Worked at least 90 days
- Family member is ill, has medical appointments, or needs preventative care

- Job-protected paid sick leave accrued at a rate of 1 hour for every 30 hours worked
- Employer may cap use at 3 days per year

Request from your employer

Go to dlse.ca.gov

CFRA/FMLA

child

parent

spouse

domestic partner

CALIFORNIA FAMILY RIGHTS ACT / FAMILY MEDICAL LEAVE ACT

- 1+ year of service
- 1250+ hrs of work in previous year
- 50+ employees w/in 75 mile radius**

- 12 weeks job-protected leave to care for seriously ill family member (can be taken intermittently)
- Continuation of health benefits

Request from your employer

Go to dfeh.ca.gov

CA FSPA

- 25+ employees at worksite
- School or licensed day care provider is unavailable

- Up to 40 hours of job-protected leave to deal with a child care or school emergency, including COVID-19 closures.

Request from your employer

Go to dlse.ca.gov

PFL

child

parent

parent-in-law

spouse

domestic partner

sibling

grandparent

grandchild

CA PAID FAMILY LEAVE

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

- Up to 60% or 70% of weekly wages, depending on income, for a max. of 8 weeks, (can be taken intermittently)

Apply at www.EDD.ca.gov

UI

UNEMPLOYMENT INSURANCE

- Able to work but unemployed or working less through no fault of your own (laid off/fired, leave not granted) OR unable to work for reason related to COVID-19

- Up to \$450 per week for a max. of 59 weeks (no waiting period if unemployed due to COVID-19)

Apply at www.EDD.ca.gov

Luisa requests **FFCRA** from her employer for 2 weeks. Afterwards, she requests **CFRA/FMLA** from her employer and applies for **PFL** from the EDD.

Anthony requests **FFCRA** from his employer for 12 weeks. After these 12 weeks, he applies for **UI** from the EDD. Anthony asks his employer for additional time off, but his employer is allowed to say "no."

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