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

### JOB-PROTECTED LEAVE

*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.

### PAY

### ACCOMMODATIONS

### HOW THIS MIGHT WORK

Lisa has a normal pregnancy, so she needs 4 weeks off before her due date and 6 weeks off after delivery to recover. After that, she needs 12 weeks off to bond with her newborn.

### THESE LAWS MAY HELP:

<table>
<thead>
<tr>
<th>Right</th>
<th>Details</th>
<th>Who is eligible</th>
<th>What to do</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PREGNANCY DISABILITY LEAVE</strong></td>
<td>· Up to 4 months job-protected, unpaid leave while disabled by pregnancy, childbirth or related condition · Continuation of health benefits</td>
<td>· 5+ employees</td>
<td>Request from your employer</td>
</tr>
<tr>
<td><strong>CALIFORNIA FAMILY RIGHTS ACT</strong></td>
<td>· 12 weeks of job-protected bonding leave within 1 year of birth starting after pregnancy disability is over · Continuation of health benefits</td>
<td>· 1+ year of service · 1250+ hrs of work in previous year · 5+ employees nationwide</td>
<td>Request from your employer</td>
</tr>
<tr>
<td><strong>STATE DISABILITY INSURANCE</strong></td>
<td>· Up to 60% or 70% of weekly wages, depending on income, for a max. of 52 weeks, after 1-week waiting period</td>
<td>· Unable to work, or working less, due to disability · Paid into SDI during base period</td>
<td>Apply at <a href="http://www.EDD.ca.gov">www.EDD.ca.gov</a></td>
</tr>
<tr>
<td><strong>PAID FAMILY LEAVE</strong></td>
<td>· Up to 60% or 70% of weekly wages, depending on income, for a max. of 8 weeks (can be taken intermittently)</td>
<td>· On leave to bond with a newborn, newly adopted or foster child · Paid into SDI during base period</td>
<td>Apply at <a href="http://www.EDD.ca.gov">www.EDD.ca.gov</a></td>
</tr>
<tr>
<td><strong>CA PAID SICK DAYS</strong></td>
<td>· 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 · Protection from retaliation</td>
<td>· Worked at least 90 days · Ill or medical appointments</td>
<td>Request from your employer Go to dlse.ca.gov</td>
</tr>
<tr>
<td><strong>FAIR EMPLOYMENT &amp; HOUSING ACT</strong></td>
<td>· Changes to the way you do your job, transfer, or more leave as a reasonable accommodation for pregnancy</td>
<td>· 5+ employees</td>
<td>Request from your employer</td>
</tr>
<tr>
<td><strong>LACTATION ACCOMMODATIONS LAW</strong></td>
<td>· Break time and a safe, clean private space (not a bathroom) for pumping with a place to sit, a surface to place the breast pump, and access to electricity, a sink, and refrigeration · Protection from discrimination, harassment, and retaliation</td>
<td></td>
<td>Go to dfreh.ca.gov or dlse.ca.gov</td>
</tr>
</tbody>
</table>

### QUESTIONS

Call 800-880-8047 legalaidatwork.org/wf

*Remember, if you qualify for FMLA, it runs at the same time as PDL and CFRA. It does not provide you with more leave.

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 January 2021. 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.
**THESE LAWS MAY HELP:**

**CALIFORNIA FAMILY RIGHTS ACT**
- Job-protected, unpaid leave for a max. of 12 weeks to bond with a newborn, newly adopted, or foster child within the first year of birth or placement in the home, or to care for a seriously ill family member.
- Continuation of health benefits.

**FAMILY SCHOOL PARTNERSHIP ACT**
- Job-protected, unpaid leave for a max. of 40 hours each year to: search for or enroll in child care or school; participate in child care or school activities; and/or address child care or school emergency.
- Except for emergencies, employer may cap use at 8 hours per month.

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

**PAID SICK DAYS**
- 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.

**UNEMPLOYMENT INSURANCE**
- Up to $450 per week, after 1-week waiting period.

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**HOW THIS MIGHT WORK**

Juan needs 12 weeks off to bond with his infant daughter.

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**LEGAL AID AT WORK**

Call 800-880-8047
legalaidatwork.org/wf