

COVID-19 CAREGIVING + MY JOB: A PRACTICAL GUIDE

in CALIFORNIA

If you need time off work because you are caring for a family member affected by COVID-19, you may have the right to leave and pay.

This is true if you are caring for:

- a family member who has COVID-19,
- a family member who has been advised to quarantine, or
- a child whose school or place of care is closed or unavailable due to COVID-19 onsite.

This chart explains the rights you have to leave and pay for caregiving related to COVID-19. The following pages explain how to access this leave and pay and offer additional tips. For information about leave and pay if you have COVID-19, need to quarantine, or need to get vaccinated check out [COVID-19+My Job: A Practical Guide](#)

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



PAY

THESE LAWS MAY HELP:

Because they provide for:

Here's what to do:

Law	Who is covered	Benefits	Action
CA COVID SPSSL CA COVID-19 SUPPLEMENTAL PAID SICK LEAVE	child, parent, parent-in-law, spouse, domestic partner, sibling, grandparent, grandchild	<ul style="list-style-type: none"> • Up to 2 weeks of job-protected paid leave 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 on the premises 	<p>Request from your employer</p> <p>Go to dlse.ca.gov</p>
CA PSD CA PAID SICK DAYS	child, parent, parent-in-law, spouse, domestic partner, sibling, grandparent, grandchild	<ul style="list-style-type: none"> • 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 	<p>Request from your employer</p> <p>Go to dlse.ca.gov</p>
CFRA CALIFORNIA FAMILY RIGHTS ACT	child, parent, spouse, domestic partner, sibling, grandparent, grandchild	<ul style="list-style-type: none"> • 12 weeks job-protected leave to care for seriously ill family member (can be taken intermittently) • Continuation of health benefits 	<p>Request from your employer</p> <p>Go to dfeh.ca.gov</p>
CA FSPA CA FAMILY SCHOOL PARTNERSHIP ACT	child	<ul style="list-style-type: none"> • Up to 40 hours of job-protected leave to deal with a child care or school emergency, including COVID-19 closures. 	<p>Request from your employer</p> <p>Go to dlse.ca.gov</p>
PFL CA PAID FAMILY LEAVE	child, parent, parent-in-law, spouse, domestic partner, sibling, grandparent, grandchild	<ul style="list-style-type: none"> • Up to 60% or 70% of weekly wages, depending on income, for a max. of 8 weeks (can be taken intermittently) 	<p>Apply at www.EDD.ca.gov</p>
UB UNEMPLOYMENT BENEFITS		<ul style="list-style-type: none"> • \$40 to \$450 per week for up to 99 weeks - 26 weeks (traditional CA weekly benefit max) + 53 weeks (extensions provided under new COVID-19-related federal laws) + 20 weeks (extended benefits while unemployment rate is above a certain rate) plus additional \$300 weekly 	<p>Apply at www.EDD.ca.gov</p>

Practical Tips for COVID-19 Caregiving

LEAVE and PAY

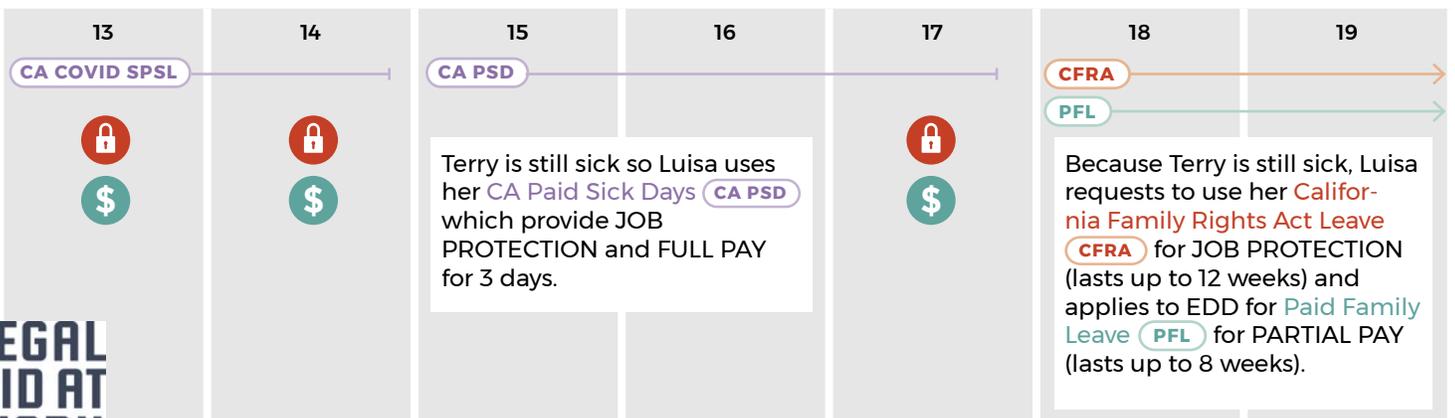
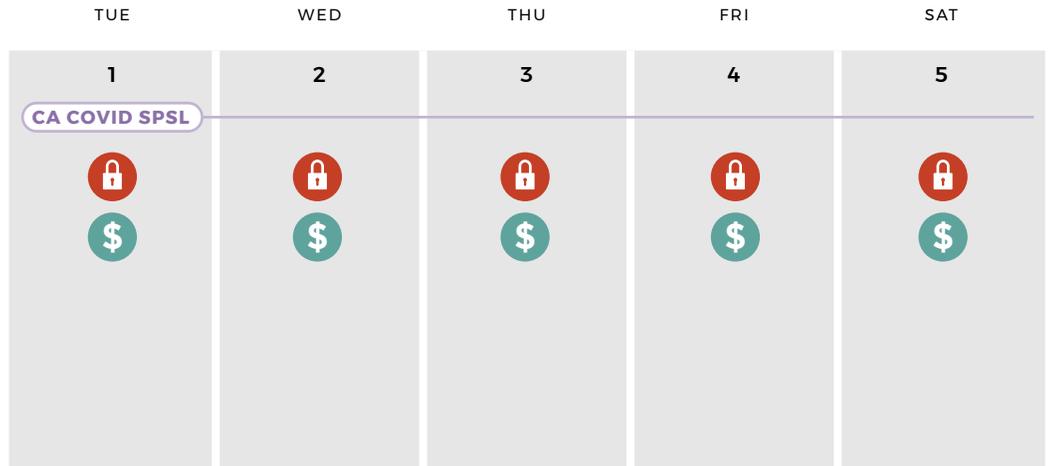
Below is an example of how a worker can receive leave and pay to care for a family member with COVID-19. Following the example are answers to frequently asked questions and sample paid sick leave request letters.

In 2018, Luisa is hired at a restaurant with 6 employees. She works fulltime.

In 2021, Luisa's spouse Terry gets COVID-19, becomes very ill, and needs Luisa's care.

	CA COVID SPSL California Supplemental Paid Sick Leave	CA PSD California Paid Sick Days	CFRA California Family Rights Act	PFL California Paid Family Leave
LEAVE TYPE	California Supplemental Paid Sick Leave	California Paid Sick Days	California Family Rights Act	California Paid Family Leave
TIME	2 weeks	3 days	12 weeks	8 weeks
BENEFIT	Full pay  Job protection 	Full pay  Job protection 	Job protection 	60 or 70% pay 

Terry develops complications and Luisa needs extended time off to care for Terry. Luisa asks her boss for paid time off to care for her spouse and uses California COVID Supplemental Paid Sick Leave **CA COVID SPSL** which provides JOB PROTECTION and FULL PAY for up to 80 hours or 2 weeks.



Frequently Asked Questions

Who should I ask?

Ask your employer (Human Resources or a manager) for time off and pay.

How can I ask?

You can ask orally or in writing. If you ask in person or over the phone, follow up with a written note, email, or text. You can find a sample written request below.

What information should I include in my request?

Include how much time off work you think you will need and why you need time off. If this changes, update your employer.

Do I need to include a doctor's note?

You do not need to include a doctor's note for paid sick leave but may need to provide a medical certification for CFRA leave.

When should I ask?

As soon as you are able to ask, once you know that you need time off.

What if my employer says no or refuses to pay me?

Your employer is required to pay you if you qualify for COVID-19 Supplemental Paid Sick Leave or California Paid Sick Days:

- If your employer refuses to pay you for your paid sick leave, you should contact your local Labor Commissioner's Office to file a claim for owed wages. Find their information at dir.ca.gov/dlse/DistrictOffices.htm or by calling 1-833-526-4636.
- If your employer refuses to permit you to take paid sick leave, you can file a report of a labor law violation with the Labor Commissioner's Office (more information at www.dir.ca.gov/dlse/HowToReportViolationtoBOFE.htm).

- If your employer denies you CFRA leave, you can file a complaint with the Department of Fair Employment and Housing (dfeh.ca.gov).

What if my employer fires me, cuts my shifts or hours, or writes me up?

Your employer is prohibited by law from taking these or similar actions because you requested or used paid sick leave or CRFA leave.

- If after asking for paid sick leave your employer takes any of these or similar actions, you should contact the Retaliation Complaint Investigations Unit of the Labor Commissioner's Office. You can file a complaint online at www.dir.ca.gov/dlse/Filing_your_complaint.htm, or you can contact your local Labor Commissioner's office to file a paper complaint.
- If your employer takes these actions because of a request for CFRA leave, you can file a complaint with the Department of Fair Employment and Housing (dfeh.ca.gov).

What if I run out of paid sick leave and want to be paid for days I cannot work?

After you use up your paid sick leave, the CFRA may provide additional job protection. California Paid Family Leave (CA PFL), available through the Employment Development

Department (EDD), may provide partial pay. Ask your employer for CFRA leave. Apply to the EDD (edd.ca.gov) for PFL benefits.

What if I already took sick leave in 2021 but wasn't paid?

You can request pay for time off you took from January through March 2021. You should ask someone in Human Resources or your manager. If you request pay for earlier unpaid time off orally, follow up with a note, text, or email. You can find a sample written request below.

What should I do when I am ready to return to work?

Be sure to keep your employer informed of your expected return date, providing as much notice as you can. Confirm your return date the business day before your return.

What if I am undocumented?

Undocumented workers can qualify for all of these protections except Unemployment Insurance Benefits. Check out [this guide](#) for information on how to apply for Disability Insurance or California Paid Family Leave if you are undocumented.

What if the reason I need leave is because I am sick or was exposed?

Check out [COVID-19 + My Job: A Practical Guide](#) for more information.

This information is current as of May 2021. If you have questions about your right to COVID-19 Supplemental Paid Sick Leave, contact Legal Aid at Work's Work and Family Helpline at (800) 880-8047. Legal Aid at Work cannot ensure this information is current or be responsible for any use to which it is put.

Sample Request Letters for COVID-19 Caregiving Leave & Pay

COVID-19-RELATED LEAVE AND PAY

[DATE]

Dear _____,
[EMPLOYER]

I am requesting COVID-19 Supplemental Paid Sick Leave from _____ to _____.
[DATE] [DATE]

I need paid sick leave because: *[Mark all applicable]*

- I need to care for a family member who is ill with or exposed to COVID-19
- I need to care for my child / children because their normal care is unavailable because of COVID-19 onsite

[For extended caregiving leave:]

I am requesting leave under the California Family Rights Act from _____ to _____.
[DATE] [DATE]

I need leave to care for my family member who has a serious health condition.

Please let me know if you have questions. I can be reached at _____.
[PHONE NUMBER OR EMAIL]

Thank you,

[NAME]

PAST COVID-19-RELATED LEAVE AND PAY

[DATE]

Dear _____,
[EMPLOYER]

I am requesting COVID-19 Supplemental Paid Sick Leave for the leave I took from _____ to _____.
[DATE] [DATE]

I needed paid sick leave because: *[Mark all applicable]*

- I needed to care for a family member who was ill with or exposed to COVID-19
- I needed to care for my child / children because their normal care was unavailable because of COVID-19 onsite

Please let me know if you have questions. I can be reached at _____.
[PHONE NUMBER OR EMAIL]

Thank you,

[NAME]