

FAQs about Paid Family Leave to Care for a Seriously Ill Family Member

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California's Paid Family Leave program provides most workers with 8 weeks of wage replacement benefits each year when they need time away from work to care for a seriously ill loved one. This fact sheet answers frequently asked questions about Paid Family Leave for family caregivers.

1 What is Paid Family Leave?

Paid Family Leave (PFL) is a program administered by the Employment Development Department that provides up to eight weeks of partial wage replacement per year while you take time off work to:

- Care for a seriously ill family member,
- Bond with a new child, or
- Address needs related to a family member's overseas military deployment

Paid Family Leave replaces:

90% of average weekly income
for most workers

70% for the highest income earners
up to a cap

2 Am I eligible for Paid Family Leave?

To be eligible for Paid Family Leave, you must:

- Have paid into State Disability Insurance (noted as "CASDI" on most paystubs) within the past 5-18 months
- Experience a loss in wages due to your need to take time away from work for one of the reasons listed above

Citizenship and immigration status do not affect eligibility, although undocumented workers should take some different steps to apply.

3 Who counts as a family member?

You can receive PFL to care for a seriously ill parent, parent-in-law, child, grandparent, grandchild, sibling, spouse, or registered domestic partner.

See [Undocumented Workers' Guide to Applying for California Disability Insurance & Paid Family Leave](#).

4 What counts as a serious health condition?

Serious health condition includes a physical or mental condition, impairment, illness, or injury that involves continuing treatment by a health care provider, or inpatient care. Some examples are Alzheimer's, cancer, chronic conditions such as epilepsy, asthma, or diabetes, or recovery from surgery.



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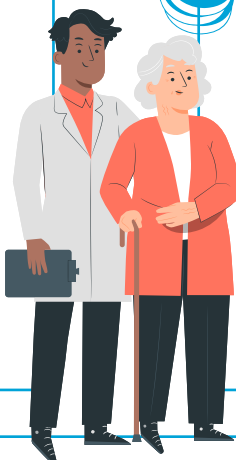
What counts as care?

CARE means help with eating, self-care, medical needs, transportation, or emotional support. Care also includes planning future care or providing relief for other caregivers.

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How do I apply?

Apply through the Employment Development Department (EDD) either online at <http://www.edd.ca.gov/> or by paper application. Make sure to fill out Part A and Part C. Your family member's health care provider will need to certify the claim in Part D. You can submit your application up to 41 days retroactively or later for a good reason. Although processing times may vary, EDD typically processes payment within 14 days after receiving a complete claim.



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Do I have to use PFL all at once?

NO. You can receive PFL "intermittently" or with a reduced schedule; for example, you can use 1 day a week to take your loved one to appointments, or can use 1 week one month, and 3 weeks the next month.

To apply for intermittent leave:

- ☐ Answer "Yes" to the question "Did you work or will you continue to work during your family leave period?" on your initial application.
- ☐ Expect a follow-up call from EDD after you submit your application and answer their questions about your leave plan.
- ☐ Certify when you did work and how much you earned every two weeks through forms provided by EDD.

*For step-by-step instructions, see How to Apply for Intermittent Paid Family Leave to Care for an Ill Family Member in California



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Is my job safe while I receive Paid Family Leave?

Paid Family Leave provides wage replacement but does NOT protect your job. However, your job may be protected for 12 weeks each year under the California Family Rights Act (CFRA). To qualify, you must have worked for your employer for 1 year, have worked 1250 hours in the 12 months before your leave began, and work for an employer with at least 5 employees. You don't have to take all 12 weeks of CFRA leave at once. You can take leave in shorter increments or on a reduced schedule when medically necessary.

THE CALIFORNIA FAMILY RIGHTS ACT (CFRA) PROVIDES 12 WEEKS OF JOB-PROTECTED LEAVE PER YEAR TOTAL TO:

- Care for a family member with a serious health condition – family members include the same people covered under Paid Family Leave (see Question 3 above) and as of January 2023 also includes another person chosen by the employee who is like family.



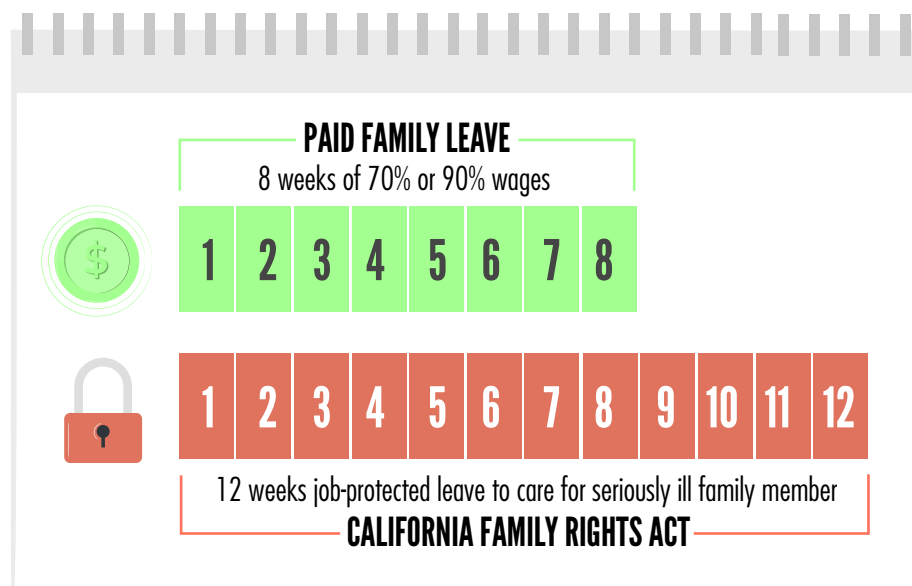


- Bond with a new child (including adopted and foster children)
- Address needs arising from a military family member's deployment overseas
- Care for your own serious health condition

To take leave under CFRA, you should tell your employer at least 30 days in advance that you will need to take leave to care for a seriously ill family member. If your need for leave is an emergency, just tell your employer as soon as possible. Your employer may ask for a certification from your family member's health care provider.

Your employer must continue your health benefits during CFRA leave, may not fire you or treat you worse for taking leave, and must return you to your same (or comparable) job in most cases.

This chart shows how Paid Family Leave works together with job-protected leave under the California Family Rights Act for a continuous leave. CFRA will protect your job while PFL will provide you with income.



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What if my caregiving duties require me to go out of state or overseas?

As long as you, the Paid Family Leave applicant, meet the PFL requirements (have paid into the fund and experience a wage loss due to your need to provide care), you can receive PFL while you provide care for a family member out of state or even overseas.

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What if someone else also cares for my family member who is ill?

More than one person can provide care to the same care recipient for Paid Family Leave, but you can only receive benefit payments for the days and hours that you are the primary caregiver.

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What if I provide care for more than one person?

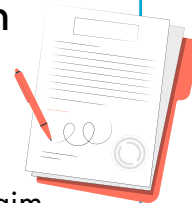
You can only receive Paid Family Leave benefits to care for one person at a time, and you are entitled to a maximum of 8 weeks of benefits per year. If you use 4 weeks of PFL to care for a seriously ill family member, you would still have 4 weeks remaining to care for another seriously ill relative within the same year. You would need to submit separate applications for each care recipient.



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Which health care providers are allowed to sign certification forms for Paid Family Leave?

The following health care providers can certify a claim for Paid Family Leave: licensed medical or osteopathic physician or practitioner, authorized medical officer of a U.S. government facility, chiropractor, podiatrist, optometrist, dentist, psychologist, nurse practitioner or physician assistant after examination and collaboration with physician or surgeon.

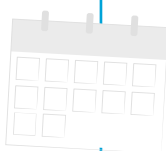


*Tip: also ask the provider to certify your need for job-protected leave under the [CFRA](#).

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How often can caregivers use Paid Family Leave?

You can receive Paid Family Leave for a maximum of 8 weeks every year.



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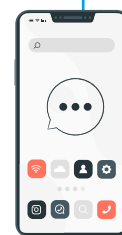
What if I need leave for my own health condition?

If you need leave for your own health condition, you may be eligible for benefits under CA State Disability Insurance (SDI). To be eligible for SDI, you must have paid into the SDI fund and experience a wage loss because you are unable to work due to your own health condition or disability. Apply online at <http://www.edd.ca.gov/> or with a paper application.

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What if I have more questions, run into problems with my employer or my PFL application, or the EDD denies my claim?

Call Legal Aid at Work for free, confidential legal advice on our Work & Family helpline: (800) 880-8047, or visit us online at legalaidthatwork.org/wf.



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