



# Workplace Rights for Fathers

## Don't miss out on valuable time with your child!

California laws give parents, including dads, rights to time off and pay for parenting. Check out our website ([legalaidatwork.org/wf](http://legalaidatwork.org/wf)) for information for parents who gave birth.



This handout covers how to protect your job when you need to take time off to care for your child, as well as how to get paid for that time. All of the rights described below apply regardless of immigration status.

## I have a new baby /I just adopted a child or became a resource (foster) parent

Congratulations on your new child! California laws provide for job-protected time off and pay which you can use within one year after your child's birth, or if you are adopting or becoming a foster parent, one year of when your child enters your home.

**Time Off From Work:** The California Family Rights Act gives parents the right to 12 weeks off from work to bond with and care for your new child. Your employer is required to give you this time and they cannot hold it against you. Your employer must continue your benefits. Give your employer at least 30 days' notice of when you plan to start your leave.

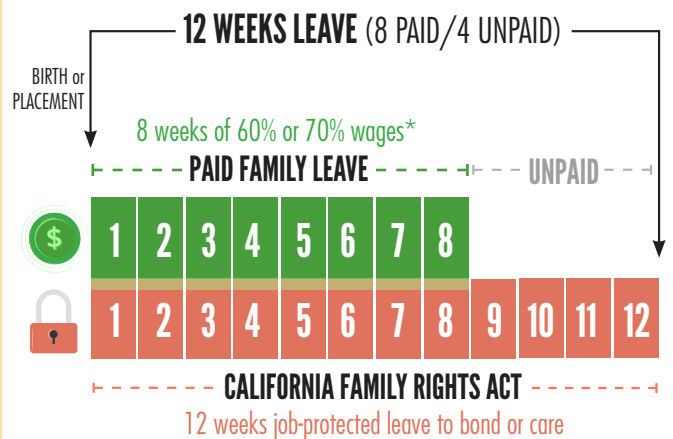
You qualify if your employer has 5+ employees and you have worked for your employer for at least 1 year and over 1250 hours (about 25 hours per week) in the last year.

**Pay While You Are On Leave:** Paid Family Leave provides 60-70% of your pay during 8 weeks of your leave if you have earned wages in the last 5-18 months. Apply for Paid Family Leave at [EDD.CA.GOV](http://EDD.CA.GOV). In 2025, it will provide up to 90% of your regular income. Apply once you start your leave from work.

The California Family Rights Act will protect your job while Paid Family Leave will provide you with income. These rights are available regardless of your immigration status.



### HOW IT ALL FITS TOGETHER: Job Protected Leave and Wage Replacement for Dads



\*beginning in 2025, this will increase to 90% of income for most workers

## I have a sick kid

California law also gives parents the right to time off and pay to care for an ill child.

**Is it just a few days?** You have the right to earn and use up to 3 California Paid Sick Days each year. Starting January 2024, you can use up to 5 Paid Sick Days per year. You can use them for your health, or to care for a child or family member, including taking your child to medical appointments. Some cities provide more.

**Is it a serious health condition?** Parents can take up to 12 weeks off from work to care for a sick child under the California Family Rights Act. You can also apply to Paid Family Leave to get income for up to 8 weeks while you are taking this time off. See **I have a new baby/ I just adopted a child or became a foster (resource) parent!** above for more information on the California Family Rights Act and Paid Family Leave. You will need a medical note from your child's healthcare provider. You can only take 12 weeks of California Family Rights Act Leave and receive 8 weeks of Paid Family Leave income total each year.



## I want to participate in a school event or my kid's school got canceled

California law also lets parents take unpaid time off from work to participate in a school event, like a field trip or parent-teacher conference, or to care for your child during an unanticipated closure. The Family School Partnership Act lets parents take up to 8 hours off per month and 40 hours in a year. If there's an emergency, you can take all 40 hours in one month. You qualify if your employer has 25+ employees at the same location. Give your employer reasonable advance notice if you can.

## How do I talk to my employer about leave from work?

It's best to tell your employer that you need leave from work in writing, like in an email, text, or note. It can be helpful to mention the law that applies to your leave, like the California Family Rights Act, California Paid Sick Days, or the Family School Partnership Act. If you are taking leave under the California Family Rights Act to care for a seriously ill child, your employer can require a note from your child's healthcare provider.



**LEGAL  
AID AT  
WORK**

For free, confidential, multilingual legal advice and information about your rights, contact: [legalaidthatwork.org/wf](http://legalaidthatwork.org/wf) or call 800-880-8047.

**DISCLAIMER:** Current as October 2023. The information provided in this resource does not constitute advice. All content is for general informational purposes only. Do not rely on this information without consulting an attorney or the appropriate agency about your rights in your particular situation.

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