



CALIFORNIA
Work & Family
COALITION

6 Laws Every California Parent, Caregiver, and Military Family Should Know

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1 Pregnancy Disability Leave

If you are pregnant or postpartum, and you work for an employer with 5 or more employees, you are eligible for up to 4 months of Pregnancy Disability Leave (PDL). California employees have the right to take up to 4 months of job-protected leave while disabled due to pregnancy, childbirth, or a related health condition. This leave also applies to time off for prenatal care. In addition to leave, pregnant workers are entitled to reasonable accommodations at work, such as modified duties or frequent bathroom breaks. Pregnant workers are entitled to continued health insurance coverage and can receive partial wage replacement through State Disability Insurance (SDI) while on Pregnancy Disability Leave (PDL).

2 California Family Rights Act

You may be eligible for up to 12 weeks of job-protected leave to bond with a new child (biological, adopted, foster, or stepchild) or to care for a seriously ill family member (spouse, registered domestic partner, parent, child, grandparents, grandchildren, parents-in-law, children over 18, and siblings). For bonding, you must use your leave within the first 12 months of your child's birth, or if adopted or fostered, within the first 12 months of arrival in your home. You can also qualify for this job protection when taking leave to care for your own serious health condition.

To qualify for job-protected leave, you need to work for a company with 5 or more employees nationwide. This applies to new parents, caregivers and those with their own serious health conditions. However, you will still need to work for your employer for at least one year and have worked 1,250 hours before taking leave in order to be eligible for this job protection.

3 Paid Family Leave and State Disability Insurance

If you pay into State Disability Insurance (SDI), which you can verify by checking your pay stubs for the CA SDI deduction, you are entitled to up to 52 weeks of partial pay when you cannot work due to a disability, including pregnancy, childbirth, or postpartum-related disabilities. You are also entitled to up to 8 weeks of partial pay to bond with a new child (biological, adopted, foster, or stepchild), to care for a seriously ill family member (your child, parent, grandparent, grandchild, sibling, spouse, domestic partner, or parent-in-law), or to prepare for a military exigency. State Disability Insurance (SDI) and Paid Family Leave (PFL) provide eligible employees 60% or 70% (depending on income) of their pay. For bonding with a child, Paid Family Leave (PFL) must be used within the first 12 months of birth or the child's arrival in the home for adoptive and foster parents.

4

Lactation Accommodation Laws

Employed parents have the right to break time and a private space to express breast/chest milk for their babies. Federal and California law protect a person's right to lactation accommodations. In California, all employers must provide breast/chest-feeding parents with break time and a space to express milk. The space must be private, free from intrusion, and in close proximity to the employee's work area. It must also be clean, have a surface to place a breast pump, a place to sit, and access to electricity, and be nearby to a refrigerator and a sink. The lactation space cannot be a bathroom. Breast/chest-feeding parents can use their regular paid breaks. If an employee needs more time, employers must give them the additional break time, but it may be unpaid.

5

Paid Sick and Safe Days

All California workers have a minimum of 3 paid sick and safe days per calendar year. It's the law. To be eligible, you must have been employed for at least 90 days, worked in California for 30 days, and accrued the amount of time you're going to use. Local city laws may provide more generous benefits. Paid sick and safe days can be used for your own or a family member's illness, for preventative care, or for reasons related to domestic violence, sexual assault or stalking. Employers who provide paid sick leave are required to allow workers to use up to half of the sick leave accrued during a 12-month period to care for a sick family member (child, parent, parent-in-law, spouse or registered domestic partner, grandparent, grandchild or sibling). More leave may be available for COVID-19-related illness or caregiving.

6

Family-School Partnership Act

Parents may be entitled to take time off from work to enroll a child in childcare or school, to attend a child's school or childcare activities, or to address childcare or school emergencies. To be eligible, a parent must work for an employer with 25 or more employees at the same location. School activities include field trips, parent-teacher conferences, and graduations. A parent may take up to 40 hours each year, but no more than 8 hours per month, except for emergencies, including school or daycare closures.

More information about paid leave, improving the laws, or ordering posters

For more information, visit our website at workfamilyca.org or call us at 510-473-2216. To help make our laws more supportive of families and workers, join our team of paid leave advocates at workfamilyca.org/advocacy.

Enforcing Your Rights

If you have a legal question about your right to take leave, contact Legal Aid at Work at legallaidatwork.org/wf or call them at 800-880-8047 (toll-free in California) or 415-593-0033 (outside California). Services available in English, Spanish, Cantonese, Mandarin, and other languages.