

# Overview of California Leave Laws

Law	Coverage	Leave	Wage Replacement?	Protected Health Benefits?	Job Protection?
California Paid Sick Leave (CPSL)	Most employees (certain limited exclusions may apply) who, on or after 1/1/2015 work in California for 30 or more days within a year and satisfy a 90 day employment period	Leave is accrued at a rate not less than 1 hour of every 30 hours worked (may be capped at 6 days or 48 hours per year (Employers may limit use of sick pay to 3 days or 24 hours per year). Optionally, employers may make available all 24 hours/3 days of leave at the beginning of each year.	Yes. Payment is based on regular rates of pay	Per company policy	Yes, unless job legitimately eliminated
CFRA and FMLA	50 or more employees. Applies to employees with who have 12 mos. of service within a 75 miles radius and have worked 1,250 hours.	12 weeks continuous/ intermittent unpaid leave for the employee's serious health condition or to care for a family member	No	Normal cost sharing. Employer pays for 12 weeks. Employee pays his/her share (CFRA)	Yes, unless job is legitimately eliminated or accommodation. Light duty can be refused
FEHA (Disability Law)	5 or more employees. Covered at date of hire	Leave as a reasonable accommodation for treatment and recovery due to disability. No specific timeframe	No	Per company policy	Suggested but not absolute. Extended leave not required. Light duty or new position not required. Undue hardship defense
Kin Care	5 or more employees. Covered at date of hire	A minimum of half of annual accrued sick leave benefits may be used to care for family member's illness/injury	Yes. Payment is based on regular rates of pay or the employer's policy if less	Per company policy	Yes, unless job legitimately eliminated
Paid Family Leave (PFL)	All employees who have earned at least \$300 in qualifying wages in a previous 12-month period	After a 7-day waiting period, up to 6 weeks within a 12-month period for baby bonding or serious health condition of spouse, domestic partner, child, or parent	Yes. Approximately 55% of base pay up to the State weekly cap (currently \$1,104)	No	No job protection
Pregnancy Disability Leave (PDL)	5 or more employees. Covered at date of hire	Up to 4 months of unpaid leave for period of disability	SDI serves as wage replacement	Up to 4 months of continued coverage if provided	Yes, unless job legitimately eliminated
State Disability Leave (SDI)	All employees who have earned at least \$300 in qualifying wages in a previous 12-month period	After 7-day waiting period, up to 52 weeks of benefits	Yes. Approximately 55% of base pay up to the State weekly cap (currently \$1,104)	No	No job protection

