

INTEGRATION OF FEDERAL AND CALIFORNIA FAMILY AND MEDICAL LEAVE ENTITLEMENTS

	Family Medical Leave Act (FMLA)	California Family Rights Act (CFRA)	Pregnancy Disability Leave (PDL)	Paid Family Leave (PFL)	Leave for Military Spouses and Domestic Partners	Family Sick Leave (Kin Care)
Covered Companies	50+ Employees (within 75 Mile Radius)	50+ Employees (within 75 Mile Radius)	5+ Employees	All (Note: This is not a leave, but a benefit)	25+ Employees	Employers who offer Paid Sick Leave Benefits
Eligibility Requirements	One year of service and 1250 hours worked in the year preceding the leave (if employee meets 12 months of employment while on leave, it then becomes FMLA at that point)	One year of service and 1250 hours worked in the year preceding the leave	Current Employment Only	7 day wait period and have earned sufficient wages during the disability base period	Employees working 20+ hours/week on average	Current Employment Only
Purpose of Leave						
Baby Bonding	To care for an employee's newborn child, or to care for a child placed with an employee for adoption or foster care	To care for an employee's newborn child, domestic partner's newborn child, or to care for a child placed with an employee for adoption or foster care	Not Applicable	To care for an employee's newborn child, domestic partner's newborn child, or to care for a child placed with an employee for adoption or foster care	Not Applicable	Not Applicable
Family Care **	To care for an employee's child, parent, or spouse who has a serious health condition	To care for an employee's child, parent, spouse, domestic partner, or domestic partner's child who has a serious health condition	Not Applicable	To care for an employee's child, parent, spouse, domestic partner, or domestic partner's child who has a serious health condition	Not Applicable	To attend to the illness of an employee's child, parent, spouse, domestic partner, or domestic partner's child. Need NOT be serious health condition
Medical Leave (Non-Pregnancy Related)	Employee's own serious health condition	Employee's own serious health condition	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Pregnancy/Related Disability	Employee's own serious health condition	Not Applicable	Disability due to pregnancy, childbirth or related medical conditions	Not Applicable	Not Applicable	Not Applicable
Military Family Leave	To care for the spouse, son, daughter, parent or next of kin who is a member of the Armed Forces and who is undergoing medical treatment, recuperation or therapy, is in outpatient status, or on the temporary disability retired list for a serious illness or injury incurred in the line of duty while on active duty	See leave purposes for Family Care above**	Not Applicable	See leave purposes for Family Care above**	For periods when employee's spouse or registered domestic partner is home on leave from (not returning from) military deployment as a member of the U.S. Armed Forces who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the U.S. President; a member of the National Guard or the Reserves who has been deployed during a period of military conflict.	See leave purposes for Family Care above**
Military Exigency Leave	For a qualified exigency related to a covered family member's call to service or active duty with the Reserves or National Guard	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Length of Leave Entitlement	12 weeks within a 12-month period (26 weeks in a 12 month period for Military Family Leave)	12 weeks within a 12-month period	Period of actual disability for up to 4 months (or 88 days)	6 Weeks within a 12-Month Period	10 days per leave	Up to 50% of annual accrued Sick Leave to the extent that it is available
State Paid Benefits Available?	Possibly (SDI and PFL Benefits)	Possibly (SDI and PFL Benefits)	Yes (SDI)	Yes	No	No (If exceeds 7 days, may be eligible for PFL)
Health Benefits Guaranteed During Leave?	Yes	Yes	No	No	Yes	Yes
Company May Require Use of Vacation/PTO?	Employer may require employee to use accrued vacation/PTO while on leave if for a reason other than pregnancy disability (except when receiving SDI, PFL or Worker's Comp)	Employer may require employee to use accrued vacation/PTO while on leave (except when receiving SDI, PFL or Worker's Comp)	No	Employer's may require employee to use up to two weeks of accrued vacation/PTO prior to receiving benefits.	No	No
Company May Require Use of Sick/PTO?	Only for employee's own or a family member's serious health condition (except when receiving SDI, PFL or Worker's Comp)	Only for employee's own serious health condition (except when receiving SDI, PFL or Worker's Comp)	Sick - Yes (except when receiving SDI) PTO - No	Employer may allow the use of one week of sick/PTO during the 7 day wait period and to supplement PFL benefits to the extent available for Kin Care	No	Yes
Job Protection - Must Reinstatement Upon Return From Leave?	Yes	Yes	Yes	No	Yes	Yes
Coordination Of Leave						
Employee Pregnancy	Runs concurrently with PDL	Not Applicable	Runs concurrently with FMLA	Not Applicable	May not run concurrently with any other leave	Not Applicable
Employee's Own Serious Health Condition (Non-pregnancy related)	Runs concurrently with CFRA	Runs concurrently with FMLA	Not Applicable	Not Applicable	May not run concurrently with any other leave	Not Applicable
Bonding With Child Following Birth, Adoption, Placement For Adoption, Or Foster Care Placement	Runs concurrently with CFRA and PFL	Runs concurrently with FMLA and PFL	Not Applicable	Runs concurrently with FMLA and CFRA	May not run concurrently with any other leave	Not Applicable
Care For A Dependent Child, Spouse, Parent Or Domestic Partner's Serious Illness	Runs concurrently with CFRA, PFL, and Kin Care	Runs concurrently with FMLA, PFL, and Kin Care	Not Applicable	Runs concurrently with FMLA, CFRA, and in some cases Kin Care	May not run concurrently with any other leave	Runs concurrently with FMLA, CFRA, and in some cases PFL
Care for the spouse, son, daughter, parent or next of kin who is a member of the Armed Forces and who is undergoing medical treatment, recuperation or therapy, is in outpatient status, or on the temporary disability retired list for a serious illness or injury incurred in the line of duty while on active duty	May run concurrently with CFRA, PFL and/or Kin Care	May run concurrently with FMLA, PFL and/or Kin Care	Not Applicable	May run concurrently with FMLA, CFRA and/or Kin Care	May not run concurrently with any other leave	May run concurrently with FMLA, CFRA and/or PFL
Exigency as defined by Secretary of Labor	Not Applicable	Not Applicable	Not Applicable	Not Applicable	May not run concurrently with any other leave	Not Applicable