

Family and Medical Leaves

Frequently Asked Questions

Family and Medical Leave Act

What is FMLA?

The Family and Medical Leave Act (FMLA) is a federal law that allows eligible employees to take leave for their own serious health conditions, childcare, specified family members' serious health conditions, or for reasons related to a family member's military service.

How do I qualify for FMLA?

An employee must have been employed for at least 12 months and worked a minimum of 1,250 hours within the preceding 12-month period.

What is the duration of FMLA and what does it cover?

Eligible employees may take up to 12 workweeks of FMLA leave in a 12-month period. FMLA protects an employee's job and employer-paid benefits. Any portion of employee-paid benefits must continue to be paid by the employee.

When should I notify my employer of the need for FMLA?

As soon as an employee becomes aware of the need to utilize FMLA, the employer should be notified.

What do I need to provide to apply for FMLA?

The documentation an employer sends an employee notifying them of their rights under FMLA includes a form for the medical provider to complete. The standard requested time to return the completed form is 15 calendar days. A Leave Request form will also be required to complete.

Is FMLA a paid leave?

The FMLA time is an unpaid leave. Employees must use their paid leave during FMLA to maintain their salary. For an employee's own serious health condition, full-paid sick leave, sick half-pay, and accrued vacation time may be used. Employees are required to enter their leave time in the Employee Self Service (ESS) system.



How does paid leave work if I use FMLA to care for a spouse or parent?

Employees may use their accrued personal necessity, personal business, or vacation time to remain in paid status. If additional leave is required, leave without pay must be entered. Employees are not entitled to use their sick leave for this purpose.

State Disability Insurance

Do I qualify for State Disability Insurance?

School district and County Office employees do not pay into State Disability Insurance (SDI), therefore, do not qualify for the benefit. Per the California Education Code, these employers must provide 100 days of sick half-pay in lieu of SDI. Employees may also enroll in a voluntary disability plan during open enrollment to supplement a portion of their income once they go into sick half-pay.

Pregnancy Disability Leave

What is PDL?

Pregnancy Disability Leave (PDL), also known as maternity leave, runs from the date a doctor takes an employee off work for maternity leave through the date prior to an employee's release to return to work. Employees are entitled to up to four months of job and employer-paid benefit protection under PDL.

How do PDL and FMLA leave work together?

These leaves overlap and run concurrently with one another for a total of up to 16 weeks of protection. The duration of leave is determined by the medical provider.

What paid leave options are available to me during PDL and FMLA?

Employees are entitled to use full-paid sick leave, sick half-pay, and accrued vacation during these leaves. If all available leave is exhausted prior to being released to return to work, leave without pay must be entered.

California Family Rights Act

What is CFRA?

The California Family Rights Act (CFRA) is a state law that allows eligible employees up to 12 weeks of protected leave within a 12-month period to care for and bond with a child, whether that child is a newborn, recently adopted, or placed in foster care. CFRA may also be used to care for your own serious health condition or that of your child, parent, or spouse. Bonding leave under CFRA begins once an employee is released by their medical provider. Notify Human Resources if you plan to utilize CFRA bonding leave.

Is CFRA a paid leave?

Payment during CFRA depends on the purpose of the leave request. If the purpose is to care for one's own serious health condition or to care for and bond with a child, employees may use their full-paid sick leave, sick half-pay, and accrued vacation. Allowing an employee to use sick leave during bonding is the result of the recent implementation of a maternity/paternity leave law in the California Education Code that applies to school employees. If caring for a spouse or parent, employees may use personal necessity, personal business, or vacation time. Employees are not entitled to use their sick leave for this purpose. Classified employees may use additional time for catastrophically ill family member.

How do I qualify for CFRA?

An employee must have been employed for at least 12 months and worked a minimum of 1,250 hours within the preceding 12-month period.

How does the California maternity/paternity leave law work?

This law allows both mother and father up to 12 weeks of paid leave to bond with the child and runs concurrent with CFRA. A school employee must qualify for CFRA to qualify for this paid leave. Differential pay is provided once an employee exhausts all available full-paid sick leave and sick half-pay. The differential pay rate is calculated as the difference between the employee's daily rate and the daily rate of a substitute.



What is PFL and do I qualify?

The California Paid Family Leave (PFL) program allows qualifying employees to be paid a portion of their salary while on another leave, such as FMLA or CFRA, which would result in a loss of pay. Qualifying employees must pay into SDI. School district and County Office employees do not qualify for PFL because they do not pay into SDI.