

California Pregnancy Laws

Leave Laws

MetLife provides exceptional service and support to make the administration of employer obligations under California pregnancy disability and child bonding laws run smoothly. With plan administration that meets California State requirements, our solutions to manage California paid and unpaid leaves, benefits and laws make it easy, accurate and secure.

Paid Leave Laws		
Law	Eligibility	Benefit
Short-Term Disability (SDI)	<p>Employees who pay into State Disability Insurance are entitled to up to 52 weeks of disability; medical certification for pregnancy or childbirth determine duration.</p> <p>Job protection is available to employees who work for employers with 20 or more employees.</p>	<p>California’s Short-Term Disability Insurance (SDI) program pays a portion of the employee’s usual wages while the employee is temporarily disabled, including by pregnancy and childbirth. The money is paid from a state fund, which is replenished by payroll withholding from employee paychecks.</p>
Paid Family Leave (PFL)	<p>Employees who pay into State Disability Insurance are entitled to up to 8 weeks in July of partial pay to bond with a new child or care for a child with a serious health condition.</p> <p>Job protection is available to employees who work for employers with 20 or more employees.</p>	<p>The Paid Family Leave Act entitles eligible employees to receive partial pay while taking time off work to bond with a newborn baby, or newly adopted or foster child within the first 12 months of the child’s arrival in the home. The benefits are available for up to 8 weeks each year.</p> <p>Employees can also receive benefits if they must take time off work to care for a child, parent, spouse or domestic partner with a serious health condition.</p>
Paid Sick Leave Use for Family Care	<p>Employees who earn paid sick leave are entitled to use half of the sick leave earned each year to care for sick family members.</p>	<p>Employers who provide paid sick leave are required to allow employees to use up to half of the sick leave accrued during a 12-month period to care for a sick child, parent, spouse or domestic partner. To be eligible, an employee must be a full or part-time employee with accrued sick leave.</p>

Unpaid Leave Laws

Law	Eligibility	Benefit
Pregnancy Disability Leave (PDL)	Women who work for an employer with 5 or more employees are entitled to up to 4 months of Pregnancy Disability Leave.	Pregnant employees have the right to take up to 4 months of job-protected leave for disability due to pregnancy, childbirth or a related health condition. This leave also applies to time off for prenatal care. In addition to leave, pregnant women are entitled to reasonable accommodations at work, such as modified duties or frequent bathroom breaks. Women are entitled to continued employer health insurance coverage while on Pregnancy Disability Leave.
New Parents Leave Act (SB 63)	Employers with 20 to 49 employees within a 75-mile radius are to provide eligible employees up to 12 weeks of parental leave.	Employees can take up to 12 weeks of parental leave to bond with a new child within one year of the child's birth, adoption, or foster care placement. The new benefit is in addition to Pregnancy Disability Leave, creating the potential for a combined 7-month leave period. However, the New Parent Leave Act does not apply to an employee who is already subject to both the California Family Rights Act (CFRA) and the federal Family and Medical Leave Act (FMLA).
California Family Rights Act (CFRA)	Following FMLA, employees may be entitled to 12 weeks of job-protected leave to bond with a new baby. To be eligible for job-protected bonding leave, an employee must work for a company with 50 or more employees within a 75-mile-radius, and the employee must have worked at least one year and 1,250 hours in the year prior to taking leave.	Male and female employees have the right to up to 12 weeks of leave to bond with a newborn baby, newly adopted or foster child. Bonding leave must be taken within the first 12 months of the child's arrival in the home.
Pregnancy Accommodations	Employees may be eligible for accommodations depending upon the circumstances of the pregnancy-related disability and workplace.	Types of accommodations may include modified work duties to be less strenuous, use of a stool or chair while performing work duties, temporary transfer to a less hazardous job, longer or more frequent breaks, or leave to name a few.
Lactation Accommodation Laws (Unpaid)	Employed mothers have the right to break time and a private space to express breast milk for their babies.	Federal and California State laws protect a woman's right to lactation accommodations. In California, all employers must provide breastfeeding mothers with break time and reasonable accommodations. The space should be private, free from intrusion, and in close proximity to the employee's work area. The lactation room cannot be a bathroom stall. Breastfeeding mothers can use their regular paid breaks. If an employed mother needs more time, employers must give them the additional break time, but it may be unpaid.
Family-School Partnership Act (Unpaid)	Parents who work for an employer with 25 or more employees at the same location are entitled to take time off work to attend a child's school activities.	The Family-School Partnership Act allows parents to take unpaid time off from work to participate in activities in their child's elementary, middle or high school or licensed child care facility. 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.

Employees can qualify for PDL, CFRA, and FMLA at the same time

- Employees are entitled to take leave under each law—PDL, CFRA, and FMLA—if they qualify. PDL and FMLA may run at the same time. CFRA will be counted separately from PDL. CFRA will also be counted separately from FMLA taken for pregnancy disability, childbirth, or related medical conditions. PDL and FMLA run at the same time because both cover pregnancy-related medical conditions. (Gov. Code, § 12945.2(s)).
- Employees will receive an additional 12 weeks of bonding leave under CFRA if they qualify.

Having a Baby in California - Maximum ~ 7+ months leave			Weeks																	Baby Born													
Birthing Mother - if leave/accommodations begin midway through the pregnancy/normal delivery			Weeks																	Baby Born													
Paid/ Not Paid	Benefit Type	Max Benefit	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Not Paid	FMLA-medical		FMLA												FMLA if time available																		
Not Paid	FMLA - child bonding	12 weeks																															
Not Paid	ADA-pregnancy accommodation		ADA																														
Paid	State Disability Insurance	52 weeks	SDI																														
Paid	State Family Leave	8 weeks													SPFL																		
Not Paid	Pregnancy Disability Leave	17.3 weeks	PDL																														
Not Paid	Lactation Accommodation	6 months+													Lactation																		
Not Paid	California Family Rights Act	12 weeks													CFRA																		
Paid	San Francisco	8 weeks													SF PPLO																		
Paid	Statutory Sick leaves	5 days	SL																														
Paid	Employer Paid Time Off	2 week (est)	PTO																														
Paid	Employer Maternity Benefits	6-8 weeks													Maternity																		
Paid	Employer Parental Benefits	4 or more													Paternal																		
Birthing Mother - if leave/accommodations begin 4 weeks before due date/normal delivery			Weeks																	Baby Born													
Paid/ Not Paid	Benefit Type	Max Benefit	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Not Paid	FMLA-medical														FMLA																		
Not Paid	FMLA - child bonding	12 weeks													FMLA																		
Not Paid	ADA-pregnancy accommodation														ADA																		
Paid	State Disability Insurance	52 weeks													SDI																		
Paid	State Family Leave	6 weeks (July 8 weeks)													SPFL																		
Not Paid	Pregnancy Disability Leave	17.3 weeks	PDL																														
Not Paid	Lactation Accommodation	6 months+													Lactation																		
Not Paid	California Family Rights Act	12 weeks													CFRA																		
Paid	San Francisco	July 8 weeks													SF PPLO																		
Paid	Statutory Sick leaves	5 days	SL																														
Paid	Employer Paid Time Off	2 week (est)	PTO																														
Paid	Employer Maternity Benefits	6-8 weeks													Maternity																		
Paid	Employer Parental Benefits	4 or more													Paternal																		
Secondary Parent			Weeks																	Baby born													
Paid/ Not Paid	Benefit Type	Max Benefit	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Not Paid	FMLA- family care	12 weeks													FMLA -family care if needed																		
Not Paid	FMLA- child bonding	12 weeks													FMLA																		
Not Paid	California Family Rights Act	12 weeks													CFRA																		
Paid	State Family Leave	8 weeks													SPFL																		
Paid	San Francisco	8 weeks													SF PPLO																		
Paid	Employer Paid time off	2 week (est)													PTO																		
Paid	Employer Parental benefits	4 or more													Parental																		

FMLA Coordination:

- Leave options are determined on a case by case basis, therefore a variety of leave combinations could be available. The above depicts typical usage.
- The FMLA treats any period of incapacity due to pregnancy or for prenatal care as a serious health condition which entitles the employee to leave.
- Leave taken by an employee under CFRA runs concurrently with FMLA leave (for child bonding if time remains). However, it is possible for the employee to use all their FMLA when leave is taken for the employee's own serious health condition due to pregnancy, childbirth, or related medical conditions.
- Leave taken by an employee under CFRA cannot begin until leave under Pregnancy Disability Leave ends. It is possible for Pregnancy Disability Leave to extend beyond the exhaustion of FMLA and any employer maternity benefits, with CFRA leave commencing once Pregnancy Disability Leave has exhausted, stretching the overall leave to the maximum time out with a period of unpaid leave.



[metlife.com](https://www.metlife.com)

References:

<https://www.dfeh.ca.gov/resources/frequently-asked-questions/employment-faqs/pregnancy-disability-leave-faqs/>

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