

California Paid Family Leave

What Is Paid Family Leave (PFL)?

The California Paid Family Leave (PFL) program is funded by worker contributions to the State Disability Insurance (SDI) program and is run by the Employment Development Department (EDD). Paid Family Leave is a form of income replacement for individuals who take time off of work to care for a family member. In California, an individual with a serious medical condition may be eligible to receive and collect SDI, and caretakers may also be eligible to receive pay (PFL) for time off.¹

Am I Eligible To Receive PFL?

If you are a worker who has lost wages because you took time off of work for at least eight (8) days to provide needed care for a family member, you may be eligible to receive PFL.

To Be Eligible for PFL Benefits, You Must:

- Be unable to work for at least eight (8) days due to the need to care for an ill family member;
- Have lost wages due to the need to care for an ill family member or bond with a new child;
- Have earned at least \$300 in the last 18 months from which SDI payroll taxes were taken out;
- Be caring for a covered family member: an ill child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner;
- Request time to bond with a new child within the first year of birth, adoption, or foster care placement.²

Am I Eligible For PFL If I Just Started A New Job?

You may qualify for PFL benefits even if you just started your job, because there is no specific amount of time you must be at a job before qualifying for PFL. A part-time, full-time, public, or private-sector employee who has contributed to the State Disability Insurance program through payroll deductions at some point during the previous 18 months may be eligible to receive PFL benefits. Remember to check with your employer, however, about job-protected family leave for new employees, since receiving PFL benefits does not guarantee that your job will be protected if you take time off.

¹ There are currently only five (5) states that offer pay for family caregiver leave: California, New Jersey, New York, Rhode Island, and Washington, and the District of Columbia. New York's paid family leave program goes into effect in 2018, and both Washington and the District of Columbia's paid family leave programs go into effect in 2020. For more information, please see: <http://www.nationalpartnership.org/research-library/work-family/paid-leave/state-paid-family-leave-laws.pdf>

² The forms and requirements are different for child bonding and care giving for ill family members. This particular handout is intended to be used as a guide for workers applying for PFL for caretaking of ill family members.

When Should I File A Claim For PFL?

You must complete and submit a claim form at least nine (9) days after the first day of your family leave, but no more than 49 days after your family leave begins. You cannot file a claim for leave time for less than eight (8) days.³ You can file a claim for PFL benefits by mail or online.

In order to file a claim for PFL to care for a family member, you need documentation that shows:

- First and last name
- Social Security number
- California Driver License number
- Most current employer's business name, phone number, and mailing address (as stated on your W-2 or paystub)

Provide the information below ONLY if it applies to you:

- Any wages you received or expect to receive from your employer (sick leave, paid-time-off [PTO], vacation pay, annual leave, and wages earned after your stopped working)
- Any workers' compensation claim information

If you are requesting PFL to bond with a new child, no additional documents are needed.

If you are requesting PFL to bond with someone other than your child, you must also provide a proof of relationship document.

If you are requesting PFL to prove care for a family member, you must also provide:

- Part A – Statement of Claimant
- Part C – Statement of Care Recipient
- Part D – Physician's Certification of the Claim for PFL Benefits (DE 2501F)⁴

When Will I Start Receiving PFL Benefits?

There is a seven (7) day waiting period before benefits are paid. Your employer may require you to use up to two (2) weeks vacation leave or paid time off (PTO) prior to receiving PFL benefits. The first week of vacation or PTO is included in the waiting period before PFL benefits are paid.⁵

What Are Some Reasons I Would Be Ineligible To Receive PFL?

PFL eligibility is not guaranteed. You could be ineligible for PFL benefits if:

- You are receiving Disability Insurance, Unemployment Insurance, or Workers' Compensation benefits that exceed your weekly benefit amount.
- Another family member is available and able to provide care for the same period of time

What If I Am Denied Benefits?

If you are found ineligible to receive PFL after submitting your application and necessary documents, you will receive a notice of determination explaining why you were denied benefits.⁶

³For more information on how to file a claim: http://www.edd.ca.gov/Disability/SDI_Online.htm

⁴ For more information on what documents are required to process a claim, please see: http://www.edd.ca.gov/Disability/How_to_File_a_PFL_Claim_in_SDI_Online.htm

⁵ If you are a new mother transitioning from Disability Insurance pregnancy-related claim, you are not required to wait the 7 day waiting period.

⁶ For more information on PFL: http://www.edd.ca.gov/pdf_pub_ctr/de2515pf.pdf

How Do I File An Appeal?

If you are found ineligible for benefits or are later disqualified, you will receive a notice and appeal form. You have the right to appeal in writing within 20 days of the mailing date on the notice.

If you disagree with the decision, you may file an appeal. To appeal, you can either (1) complete the appeal form or (2) send EDD a letter explaining why you believe you should not have been disqualified. If you send a letter to EDD, make sure to include your social security number, address, and your printed name and signature in the letter. EDD will then review the information you provided in the appeal form or letter and will notify you of their decision.

- **If EDD finds that you were eligible for benefits**, they will issue payments on your claim.
- **If EDD finds that you are still not eligible for benefits**, they will forward your appeal to the local office of the California Unemployment Insurance Appeals Board. The Board will then notify you about a hearing where an Administrative Law Judge and an impartial third party will listen to both sides of the appeal and make a final decision based on the facts you present and the facts presented by a representative of SDI.⁷

RESOURCES

For more information about PFL eligibility:

http://www.edd.ca.gov/disability/FAQ_PFL_Eligibility.htm

For more information or questions about PFL, please contact:

Employment Development Department

1-800-480-3287

www.edd.ca.gov

The PFL Automated Phone Information System is available 24 hours a day, 7 days a week.⁸

- English: 1-877-238-4373
- Spanish: 1-877-379-3819

For more information about California's Paid Family Leave (PFL), we suggest you read the following: http://www.edd.ca.gov/pdf_pub_ctr/de8714cf.pdf

PFL appeal information can be found at <http://www.edd.ca.gov/Disability/Appeals.htm>

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⁷ PFL appeal information can be found at <http://www.edd.ca.gov/Disability/Appeals.htm>

⁸ http://www.edd.ca.gov/About_EDD/Department_Directory.htm