

# CALIFORNIA

## PAID FAMILY LEAVE (ASSEMBLY BILL NO. 908)



Senate Bill 1661 was introduced and approved by California in 2002 which would mark California as the first state to provide paid family leave to employees with an extended period of time off to care for a new child or to care for a family member of whom is ill. California officially started their program in 2004, providing employees a partial wage replacement for 6 weeks through the State Disability Insurance in which employees contribute to with pre-tax paycheck deductions.

### LAW DETAILS

#### EMPLOYEE BENEFIT

- + 6 weeks for care and bonding
- + Maximum weekly benefit amount is \$1,216 / Wk. (Before Oct. 1, 2021)

#### ELIGIBILITY

- + All state, local, federal, and private employees (full time/part time)
- + Have earned at least \$300 in wages that are subject to State Disability Insurance deductions (look for "CASDI" on your paystubs) during the 12-month base period of your claim.
- + Provide proof of relationship for bonding claims (birth certificate or record, adoption paperwork, etc.).
- + Have the care recipient's physician/practitioner certify to the need for care by completing the "Physician/Practitioner's Certification" for care claims.

#### FUNDING

- + Funded through a mandatory employee payroll deduction;
- + Eligible workers will be paid 60 - 70% of their wages during leave

#### WORKER RIGHTS + REQUIREMENTS

- + California Paid Family Leave does not provide job protection or a right to return to work.
  - Job protection may be provided under other laws such as the federal Family and Medical Leave Act, the California Family Rights Act, or the New Parent Leave Act"
- + Your employer may allow you to use vacation, sick, paid time off, or other leave to supplement your PFL benefits to receive up to 100 percent pay.

#### EMPLOYER RIGHTS

- + Employers must provide all new employees with an informational brochure on PFL. [Brochure here](#)
- + Employers must post a new poster describing the PFL program.
  - [This poster is required to be posted in the workplace of employees who are covered by Unemployment Insurance and SDI.](#)
  - [This poster is required to be posted in the workplace of employees who are covered only by Disability Insurance](#)

### SUPPORTING LAWS

#### Pregnancy Disability Leave (PDL)

Allows employees of a California employer with at least 5 employees a 4 month leave to care for maternal disability.

[Learn more](#)

#### California Family Rights Act (CFRA/Bonding Leave)

Accessible to employees who have worked for an employer with 20 or more employees for at least 1 year and have worked 1,250 hours. Allows a 12 week leave within the first year of the child's birth/adoption.

[Learn more](#)

#### Family & Medical Leave Act (FMLA)

This act offers 12 weeks of unpaid leave and is offered to employees who have worked for an employer (with at least 50 employees) for 1+ year and 1250+ hours in the past year. FMLA is to be taken within the first year of the child's birth/adoption and will be taken together with PDL.

[Learn more](#)

#### New Parent Leave Act

[Learn more](#)

### OVERSIGHT BODIES

- California Work & Family Coalition  
(Led the passing of SB 1661)
- U.S. Department of Labor for California
- Department of Industrial Relations
- Employment Development Department - Admin

### READ MORE

- > [California's Paid Family Leave Law: Lessons from the First Decade](#)
- > [Family and Medical Leave in California](#)
- > [Paid Family Leave, Ten Years of Assisting Californians in Need](#)
- > [Lessons learned from California's Paid Leave law](#)

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## PAID FAMILY LEAVE

### September 25, 2002

Senate Bill 1661 was enacted; California becomes first state to provide a paid family leave policy

### July 1, 2004

Benefit payments begin

### September 24, 2013

- Governor Edmund G. Brown Jr. signs Senate Bill 770
- PFL Expansion

### July 1, 2014

- SB 770 implemented
- Wage replacement provided

### February 26, 2015

Assembly Bill 908 Introduced

### June 2, 2015

- Bill passed by Assembly (60 - 17 vote)
- Sent to Senate

### 2016

- San Francisco becomes the first jurisdiction to provide fully paid parental leave
- Passed by Board of Supervisors
- Signed into law by Mayor Ed Lee in April 2016

### February 29, 2016

Bill amended and passed by senate (28 - 11 - 1 vote)

### April 11, 2016

Signed by Governor Jerry Brown

### January 1, 2017

- San Francisco Paid Parental Leave Ordinance takes effect
- Offered to those who work for an employer with at least 50 employees

### July 1, 2017

SF PPLO changes the threshold number of employees to at 35

### January 1, 2018

- Benefit amount increases
- SF PPLO changes the threshold number of employees to at least 20

## EXPANSIONS

### 2013

Wage replacement provided to employees to take time off to care for seriously ill grandparents, grandchildren, siblings, and in-laws

### April 11, 2016

Governor signs AB 908 to increase paid family leave benefits from 55% to 60 - 70%

## RATES OF USE

### 213,288

Total Paid Family Leave claims filed in calendar year (YTD)

### 23,699

Monthly Average

### \$719,874,764.41

Total benefits paid in calendar year (YTD)

## ADDITIONAL RESOURCES

- **Actual law:**  
[https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160AB908](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201520160AB908)
- **FML Overview:**  
<https://employment.findlaw.com/family-medical-leave/family-and-medical-leave-overview.html>  
  
[https://www.edd.ca.gov/Disability/About\\_PFL.htm](https://www.edd.ca.gov/Disability/About_PFL.htm)
- **Quick Stats:**  
[https://www.edd.ca.gov/about\\_edd/quick\\_statistics.htm](https://www.edd.ca.gov/about_edd/quick_statistics.htm)
- **PDL, CFRA, and FMLA Requirements and Obligations:**  
<https://www.dfeh.ca.gov/resources/frequently-asked-questions/employment-faqs/pregnancy-disability-leave-faqs/pdl-cfra-fmla-guide/>
- **What is Disability Insurance?**  
<https://injury.findlaw.com/accident-injury-law/what-is-disability-insurance.html>
- **Fact Sheet**  
[https://www.edd.ca.gov/pdf\\_pub\\_ctr/de8714cf.pdf](https://www.edd.ca.gov/pdf_pub_ctr/de8714cf.pdf)



## PANORAMA

Panorama envisions a world where everyone has the opportunity to thrive at work, regardless of gender, race, or economic standing. As part of an initiative around the Future of Work, Panorama seeks to understand the incentives and barriers to corporate adoption of paid family and medical leave policies, and to provide tools, resources, and knowledge that allow employers to make strategic decisions for both their workers and their bottom lines.

Learn more at [uspaidleave.org](http://uspaidleave.org)