



KNOW YOUR RIGHTS AT WORK

FAMILY & MEDICAL LEAVE

The Family & Medical Leave Act (FMLA) gives you the right to take leave for medical reasons or to care for a sick family member. You are covered by FMLA if you are:

- A part or full-time public or private-sector employee who contributes to SDI through mandatory payroll deductions OR
- A self-employed Californian who has contributed to the Disability Insurance Elective Coverage program.
- A parent (including adoptive or foster care) who will lose wages while taking time off work to bond with a new child OR
- An employee who will lose wages while taking time off work to care for a seriously ill family member (child, parent, parent-in law, grandparent, grandchild, sibling, spouse, or registered domestic partner).

- I have worked for my employer for 1+ year, I have 1250+ hours of service in the past year.
- 50+ employees work within 75 mile radius.

You can apply for PFL benefits in two ways:

- Online by visiting edd.ca.gov/SDI_Online.
- By mail by requesting a Claim for Paid Family Leave (PFL) Benefits, DE 2501F form at edd.ca.gov/Forms
- You'll need to provide the name of your employer and the date you want your claim to begin

QUESTIONS? Contact Us (619)298-7772

Contracts & Grievances Ext. 126 | **Membership** Ext. 6 | **Pension & Insurance** Ext. 8

2001 CAMINO DEL RIO SOUTH | SAN DIEGO, CA 92108

For more, **visit us online @ www.ufcw135.com**

More information about Family & Medical Leave

- FMLA provides 12 weeks within one year of the child's birth adoption or start of foster care OR because of a serious pregnancy-related medical condition.
- You will not lose your job while on leave. You will be reinstated to your same or comparable job notwithstanding layoffs, etc.
- You will not lose seniority.
- Notify your employer 30 days' prior if possible.

Other Frequently Asked Questions about FMLA:

What defines a "serious health condition"?

A serious health condition includes:

- 1) on or off-the-job injuries and illnesses that incapacitate you or a family member for more than three consecutive calendar days;
- 2) chronic health conditions; and
- 3) pregnancy.

Absences due to serious health conditions are protected even if they are as short as a day or a part of a day. For instance, if you suffer migraines, you might miss part of a day one month and be out for a full day the next month. You may suffer from a chronic back condition that flares up requiring you to stay home one day in January, four days in April, and half a day in September. This can qualify as FMLA.

How much will I get paid?

If eligible, you could receive approximately 60 to 70 percent of your weekly salary (from \$50 to \$1,216). 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. The length of time worked at your current job does not affect eligibility. The Employment Development Department (EDD) provides an online calculator at edd.ca.gov/PFL_Calculator to help estimate your weekly benefit amount.

How much do I need to tell my employer?

You do not need to mention FMLA when requesting a leave, but you must explain the reasons for the needed leave, so your employer is aware that your leave falls within an FMLA category. Calling in with "a headache" is not sufficient but calling in and stating that you have a migraine is. Your employer can require certification of a serious health condition.

(Source: [California Paid Family Leave Fact Sheet](#) | [California Employment Development Department](#))

QUESTIONS? Contact Us (619)298-7772

Contracts & Grievances Ext. 126 | **Membership** Ext. 6 | **Pension & Insurance** Ext. 8

2001 CAMINO DEL RIO SOUTH | SAN DIEGO, CA 92108

For more, visit us online @ www.ufcw135.com