
Administrative Procedure
Chapter 7 – Human Resources

AP 7347 PAID FAMILY LEAVE

References:

Unemployment Insurance Code Sections 3300 – 3307

Employees who contribute to the state’s unemployment compensation disability insurance (SDI) program shall be eligible for up to eight weeks of Paid Family Leave (PFL) wage replacement benefits. PFL is funded entirely through employee contributions and payments are equal to those the employee would receive for other SDI leave. PFL does not provide an independent leave right. Employees must apply for PFL benefits directly with the California Employment Development Department (www.edd.ca.gov).

The employee may be eligible for PFL benefits for:

- his/her/their own non-work-related serious health condition (including pregnancy-related disability);
- a child, spouse, parent, grandparent, grandchild, sibling, or domestic partner with a serious health condition;
- to bond with a new child or placement of a child in connection with foster care or adoption; or
- to participate in a qualifying exigency related to the covered active duty or call to covered active duty of the employee’s spouse, domestic partner, child, or parent in the Armed Forces of the United States.

“Serious health condition” is defined exactly the same as in the Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA).

An employee seeking PFL benefits:

- is eligible for benefits once in a 12-month period;
- may be required to use up to two weeks of accrued but unused vacation leave before receiving PFL benefits; and
- may receive PFL benefits while on FMLA/CFRA leave.

An employee is not eligible for PFL benefits if:

- he/she/they is receiving unemployment benefits;
- he/she/they is entitled to receive workers' compensation benefits;
- he/she/they is eligible for SDI or disability benefits from another state;
- another family member is "ready, willing, and able and available" to provide care or participate in a qualifying exigency related to the covered active duty or call to covered active duty of the individual's spouse, domestic partner, child, or parent in the Armed Forces of the United States.

Also see BP/AP 7340 Leaves, the Personnel Commission's Rules, and the collective bargaining agreements for applicable employee groups.

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(This is a new procedure)