

# PDL, CFRA, and FMLA Requirements and Obligations

	Pregnancy Disability Leave (PDL)	Bonding Leave (CFRA)	Family & Medical Leave Act (FMLA)
I am eligible if:	I have a pregnancy disability, and my employer has at least 5 employees. ( <i>Cal. Code Regs. tit. 2, §§ 11035(h) &amp; 11037</i> ).	I have worked for my employer for 1+ year, I have 1250+ hours of service in the past year, and 50+ employees work within 75 mile radius. ( <i>Cal. Code Regs. tit. 2, § 11087(e)</i> ).	I have worked for my employer for 1+ year, I have 1250+ hours of service in the past year, and 50+ employees work within 75 mile radius. ( <i>29 U.S.C.A. § 2611(2) &amp; 29 C.F.R. § 825.110</i> ).
How much leave do I get?	4 months, based on hours worked per week (see chart above). ( <i>Cal. Code Regs. tit. 2, § 11042</i> ).	12 weeks within one year of the child's birth, adoption, or start of foster care. This leave will run after PDL and may run after FMLA. ( <i>Cal. Code Regs. tit. 2, § 11087(h) &amp; Cal. Gov't Code § 12945.2(p) &amp; (s)</i> ).	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. This leave will run at the same time as PDL. ( <i>29 U.S.C.A. § 2612; 29 C.F.R. § 825.701; Cal. Gov't Code § 12945.2(p) &amp; (s)</i> ).
Should I notify my employer when I'm going to take leave?	Yes. Give your employer as much notice as possible. ( <i>Cal. Code Regs. tit. 2, § 11050(a)-(b)</i> ).	Yes. ( <i>Cal. Code Regs. tit. 2, § 11091</i> ).	Yes. Give your employer 30 days' notice if possible. ( <i>29 U.S.C.A. 2612(e)(1)</i> ).
Am I required to take leave all at once?	No. You may take your leave all at once or intermittently. ( <i>Cal. Code Regs. tit. 2, § 11042(a)</i> ).	No. You may take bonding leave in separate 2-week blocks, so long as it is within 1 year of birth. ( <i>Cal. Code Regs. tit. 2, § 11090</i> ).	Maybe. You are entitled to intermittent leave if you or your child has a serious health condition related to the pregnancy. Otherwise, you need the approval of your employer to take intermittent leave. ( <i>29 U.S.C.A. § 2612(b); 29 C.F.R. § 825.202(c)</i> ).
Will I lose my job while on leave?	No. You will be reinstated to your same or comparable job notwithstanding layoffs, etc. ( <i>Cal. Gov't Code § 12945; Cal. Code Regs. tit. 2, § 11043</i> ).	No. You will be reinstated to your same or comparable job notwithstanding layoffs, etc. ( <i>Cal. Code Regs. tit. 2, § 11089</i> ).	No. You will be reinstated to your same or comparable job notwithstanding layoffs, etc. ( <i>29 U.S.C.A. § 2614(a); 29 C.F.R. §§ 825.214 &amp; 825.216</i> ).
Will I be paid on leave?	Maybe. If your employer pays employees on temporary disability, if you use vacation time/paid time off, or if you pay into	Maybe. If you use paid vacation time, paid leave, or paid time off, you will be paid. Or if you use Paid Family Leave. Otherwise, bonding leave is unpaid.	Maybe. If you use accrued paid leave during FMLA leave, you will be paid. Otherwise, FMLA leave is unpaid. ( <i>29 C.F.R. § 825.207</i> ).

	<b>Pregnancy Disability Leave (PDL)</b>	<b>Bonding Leave (CFRA)</b>	<b>Family &amp; Medical Leave Act (FMLA)</b>
Am I required to use sick/vacation time?	SDI. ( <i>Cal. Code Regs. tit. 2, § 11044(a)</i> ). You may be required to use sick time. You are not required to use vacation time or paid time off. ( <i>Cal. Code Regs. tit. 2, § 11044(b)</i> ).	( <i>Cal. Code Regs. tit. 2, § 11092(b)</i> ). You may elect to use, or your employer may require you to use: vacation time, sick leave, or paid time off. ( <i>Cal. Code Regs. tit. 2, § 11092(b)</i> ).	You may elect to use, or your employer may require you to use: vacation time, sick leave, or paid time off. ( <i>29 C.F.R. § 825.207</i> ).
Will my employer continue to pay for my health coverage?	Yes. Your employer must pay for the continuation of your group health benefits for all 4 months of PDL if your employer normally pays for those benefits. ( <i>Cal. Code Regs. tit. 2, § 11044(c)</i> ).	Yes. Your employer must pay for the continuation of your group health benefits if your employer normally pays for those benefits. ( <i>Cal. Code Regs. tit. 2, § 11092(c)</i> ).	Yes. Your employer must pay for the continuation of your group health benefits if your employer normally pays for those benefits. ( <i>29 U.S.C.A. § 2614(c)</i> ; <i>29 C.F.R. § 825.209</i> ).
Will I lose seniority or benefits?	No. You may accrue seniority or benefits if your employer allows accrual for other disability leave. ( <i>Cal. Code Regs. tit. 2, § 11044(d)-(e)</i> ).	No. You may accrue seniority or benefits if your employer allows accrual for other forms of leave. ( <i>Cal. Code Regs. tit. 2, § 11092(e)</i> ).	No. You may accrue seniority or benefits if your employer allows accrual for other forms of leave. ( <i>29 U.S.C.A. § 2614(a)(2)</i> ; <i>29 C.F.R. § 825.209(h)</i> ).
Do I need to provide a medical certification?	Maybe. Your employer may require medical certification. ( <i>Cal. Code Regs. tit. 2, § 11050(c)</i> ).	Maybe. Your employer may require medical certification of a serious health condition. ( <i>Cal. Code Regs. tit. 2, § 11091(b)</i> ).	Maybe. Your employer may require medical certification of a serious health condition. ( <i>29 U.S.C.A. § 2614(a)(4)</i> ; <i>29 C.F.R. § 825.306</i> ).
Is my partner/spouse entitled to leave?	No. PDL only applies to the parent who has a disability related to the pregnancy. ( <i>Cal. Code Regs. tit. 2, § 11035</i> ).	Yes. Both parents are entitled to bonding leave, but if you both work for the same employer, your employer may allow 12 weeks leave total for both parents. ( <i>Cal. Code Regs. tit. 2, § 11087</i> ).	Yes. ( <i>29 U.S.C.A. § 2611</i> ; <i>29 C.F.R. § 825.110</i> ).