

# A Quick Reference to Protected Leaves in California

This reference guide provides general information only. Always consult with your department’s Human Resources representative when protected leave questions arise.

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## Family Medical Leave Act (FMLA)

### What it Provides:

Up to 12 weeks of unpaid, job-protected leave with benefits, within a rolling 12-month period. Supporting documentation is required. CFRA or PDL leave will be used concurrently when applicable.

### Qualifying Reasons for Leave:

- Employee is experiencing a serious health condition that requires inpatient care or continuing treatment from a qualifying health care provider.
- Employee requires time off to care for their spouse, parent, or child who is experiencing a serious health condition which requires inpatient care or continuing treatment from a qualifying health care provider.
- Employee requests to bond with their newborn child or a newly placed child through adoption or foster care.
- A qualifying exigency arising from an employee's spouse, parent, or child being called to or currently on covered active military duty.
- Employee requires time off to care for their spouse, parent, child, or next of kin who is a covered military servicemember and who has incurred a serious health condition in the line of duty, rendering them unfit to perform their duties.
  - Military caregiver leave provides employees up to 26 weeks of unpaid, job-protected leave in a rolling 12-month period.

Digital Flyer: [Family and Medical Leave Act](#)

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## California Family Right Act (CFRA)

### What it Provides:

Up to 12 weeks of unpaid, job-protected leave with benefits, within a rolling 12-month period. CFRA and FMLA leave will be used concurrently when applicable. Supporting documentation is required.

### Qualifying Reasons for Leave:

- Employee has a serious health condition that requires inpatient care or continuing treatment from a qualifying health care provider. Pregnancy is excluded (see PDL below).
- Employee needs time off to care for their spouse, registered domestic partner, parent, grandparent, child, grandchild, sibling, or designated person with a serious health condition which requires inpatient care or continuing treatment from a qualifying health care provider. An employee's designated person is limited to one selection per rolling 12-month period.
- Bonding with employee's newborn child or a newly placed child through adoption or foster care.
  - Bonding leave must be used within the first year of the child's birth or placement and is generally taken in two-week increments, with two instances permitted for shorter durations.
- A qualifying exigency arising from an employee's spouse, parent, or child who is called to or currently on covered active military duty.

Digital Flyer: [California Family Rights Act](#)

Digital Flyer: [California Family Rights Act - Expanded](#)

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## California Pregnancy Disability Leave (PDL)

### **What it Provides:**

Up to four months of unpaid, job-protected leave with benefits, per pregnancy (pre-, peri-, and postnatal). PDL and FMLA will be used concurrently when applicable. Supporting documentation is required.

### **Qualifying Reasons for Leave:**

Periods of time when an employee is disabled because of pregnancy.

Digital Flyer: [Pregnancy Disability Leave](#)

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## Bereavement Leave

### **What it Provides:**

Up to five days of job-protected, unpaid leave and 24 hours (12 hours if working less than 32 hours/week) of paid leave per event. Protected and paid leave are used concurrently until one is exhausted. Extra-help employees are not eligible to receive pay for this leave. This type of leave is separate and distinct from CFRA and Reproductive Loss Leave. Supporting documentation may be required.

### **Qualifying Reasons for Leave:**

Death of an employee's spouse, parent, grandparent, child, grandchild, or sibling, including spousal and step-equivalents. Leave must be used within six months of the qualifying relative's death.

Digital Flyer (Protection): [Bereavement Leave](#)

MOU Pay Provisions: [Fresno County Memoranda of Understanding](#)

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## Reproductive Loss Leave

### **What it Provides:**

Up to five days of unpaid, job-protected leave per event, with a maximum of 20 days per calendar year for multiple events. Supporting medical documentation is not required. This type of leave is separate and distinct from CFRA and Bereavement Leave.

### **Qualifying Reasons for Leave:**

Employee (available to both parents) experienced a reproductive loss event defined as a failed adoption, failed surrogacy, miscarriage, stillbirth, or unsuccessful assisted reproduction. Leave must be used within three months of the event, or the end of any other protected leave being used.

Digital Flyer: [Reproductive Loss Leave](#)

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## School Appearance Leave

### **What it Provides:**

Unpaid, job-protected leave to attend school appointments in connection with a child's suspension. Reasonable advanced notice is required.

### **Qualifying Reasons for Leave:**

Employee is a parent or guardian of a child who has been suspended and is required to appear at school because of this suspension.

Digital Link: [School Suspensions](#)

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## Family School Partnership Act (FSPA)

### What it Provides:

Up to 40 hours (no more than eight hours per month) per calendar year of unpaid, job-protected leave. Reasonable notice may be required unless a qualifying emergency exists. Immediate notice is required for emergencies. Supporting documentation may be required.

### Qualifying Reasons for Leave:

Employee is a parent, guardian, or grandparent of a child in grades K-12, and:

- must find, enroll, or reenroll their child in school or with a licensed child-care provider.
- wishes to attend their child's school or licensed daycare activity.
- must address a child-care provider or school emergency causing the student to be removed due to:
  - School or child-care provider requests the employee's child be picked up or the child is prohibited from attending due to child-care provider policy.
  - Behavioral or disciplinary problems.
  - Closure or unexpected unavailability, excluding holidays.
  - Natural disaster such as fire, earthquake, or flood.

Digital Link: [Family School Partnership Act](#)

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## Jury Duty or Witness Leave

### What it Provides:

Paid job-protected leave when summoned to appear in court or before a Grand Jury as specified. Extra-help employees are not eligible to receive pay for this leave.

### Qualifying Reasons for Leave:

Employee is summoned as a juror, a witness in a criminal case, a witness in a civil case related to course of their county employment, or as a party to an action arising out of the course of their county employment.

Reference to Salary Resolution Section 513: [Fresno County Salary Resolution](#)

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## Time Off to Vote

### What it Provides:

Up to two (2) hours of paid leave to vote in statewide elections (when qualified).

### Qualifying Reasons for Leave:

Employee must have insufficient time to vote outside of their working hours. Because Fresno County operates under the Voter's Choice Act, which provides 29 available voting days, it is unlikely that an employee will qualify for this type of leave when voting within Fresno County.

Digital Link: [Time Off to Vote](#)

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## Crime Victim and Domestic Violence Leave

### What it Provides:

Unpaid, job-protected leave to seek care or attend specific activities resulting from a crime in which the employee or their qualifying family member was a victim. Reasonable notice and/or supporting documentation may be required.

### Qualifying Reasons for Leave:

- Employee or their immediate family member (spouse, registered domestic partner, parent, child, or sibling) is required to attend judicial proceedings related to a violent felony, serious felony, or felony theft or embezzlement.
- Employee or their immediate family member (spouse, registered domestic partner, parent, child, or sibling) must appear in court for any proceeding where the victim's rights are at stake. Covered offenses include: vehicular manslaughter while intoxicated, felony child abuse likely to produce great bodily harm or a death, assault resulting in the death of a child under eight years of age, felony domestic violence, felony physical abuse of an elder or dependent adult, felony stalking, solicitation for murder, a serious felony, such as kidnapping, rape or assault, hit-and-run causing death or injury, felony driving under the influence causing injury, and specified sexual assault.
- Employee was a victim of stalking, domestic violence, sexual assault, or a crime that caused physical or mental injury or threat to physical injury, and is seeking legal relief, medical attention, services from a domestic violence shelter or program, psychological counseling, or mental health services, or is participating in safety planning or other action to increase their safety from future crime or abuse.

Digital Flyer: [Victims of Domestic Violence Leave Notice \(ca.gov\)](#)

Digital Link: [Crime Victim Leave](#)

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## Organ and Bone Marrow Donor Leave

### What it Provides:

#### Organ Donors:

- Up to six weeks (240 hours for full-time employees) of paid job-protected leave with benefits.
- Up to six additional weeks of unpaid job-protected protected leave with benefits.
- An employee must utilize their own leave bank for the first two weeks of leave unless their leave bank is fully exhausted.

#### Bone Marrow Donors:

- Up to one (1) week of paid job-protected leave with benefits.
- An employee must utilize their own leave bank unless their leave bank is fully exhausted.

Both leave provisions are confined to a rolling 12-month period. Supporting documentation is required. This leave provision is separate and distinct from FMLA and CFRA leave. Extra-help employees are not eligible for these leave provisions.

### Qualifying Reasons for Leave:

An employee is a documented organ or bone marrow donor and requires leave to donate their organ or bone marrow to another person for medical necessity.

Digital Link: [Organ and Bone Marrow Donation](#)

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## Volunteer Civil Service Leave

### What it Provides:

Unpaid, job-protected leave to perform emergency civil service duties when required and up to 14 days of unpaid, job protected leave to participate in specific civil service response trainings. Employees in public safety and/or emergency medical service positions may be exempt from this leave provision.

### Qualifying Reasons for Leave:

An employee is a volunteer firefighter, reserve peace officer, or emergency rescue personnel or is a member of a disaster medical response team sponsored by the state and:

- Is required to perform emergency duty.
- Must engage in fire, law enforcement, or emergency rescue training.

Note: Employees who are health care providers are required to notify their department when they are designated as emergency rescue personnel and when they learn they will be deployed for emergency duty.

Digital Link: [Volunteer Civil Service Leave](#)

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## Links to Other Protected Leaves

### Military Service Leave:

- [Uniformed Services Employment and Reemployment Rights Act \(USERRA\)](#)
- [California Military and Veterans Code - Sections 395.01 - 395.05](#)

### Reasonable Accommodations:

- [Americans with Disabilities Act](#)
  - [Fair Employment and Housing Act](#)
  - [Pregnant Workers Fairness Act](#)
  - [P.U.M.P. for Nursing Mothers Act](#)
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