

My Job and My New Baby

2023



IE  **HP**
Inland Empire Health Plan



Paid Leave rights in California have expanded over the last few years.

California Family Rights Act (provides job-protected leave from work to bond with a new child or care for a seriously ill family member) now covers employers with five or more employees and allows grandparents, siblings and other loved ones to take leave to care for a seriously ill child.

Paid Family Leave provides 60-70% of normal income but will provide 90% starting in 2025.

Congratulations!

Your Family Is Growing

If you work, you may be thinking about how to protect your job and find time to bond with your new baby.

This booklet tells you about your job rights as a new parent in California. There are many choices for protecting your job and pay when you're pregnant and after having your baby. Talk to your employer and provider to plan a leave from work.

Start by getting the facts:

- Read "Protecting My Job" to find out how to apply for a leave from your job.
- Check the boxes next to the choices that apply to you.
- Go to www.legalaidatwork.org and click on the "Work & Family" program to:
 - Learn about your rights, or
 - Find a letter template you can use to request a leave from your employer
 - If you have questions, call Legal Aid at Work at 1-800-880-8047

Make sure you:

- Ask for leave directly from your employer
- Give at least 30 days notice

Protecting My Job

Certain types of leave protect your job before and after your new baby arrives.

Use the checklists in this section to see if you qualify:

Before My Baby Arrives

Pregnancy Disability Leave (PDL) Law

I may get **up to four months** of job-protected leave when I'm unable to work because of my pregnancy or recovery from childbirth if I can check all the boxes below:

- My doctor says I'm disabled by my pregnancy or a related condition
- My employer is covered by the PDL law
- My employer has at least five employees

Typical leave under PDL: **Four weeks** before birth and **six to eight weeks** after birth.

Request leave from employer

Note: Pregnancy Disability Leave that you don't use while you're unable to work because of your pregnancy or recovering from childbirth can't be used later on once you're well.

After My Baby Arrives

Pregnancy Disability Leave (PDL) Law

I may get **up to four months** total job-protected leave when disabled by pregnancy and to recover from childbirth if I can check all the boxes below.

- My doctor says I'm disabled by childbirth or a related condition
- My employer has at least five employees

Typical leave under PDL:
Four weeks before birth and **six to eight weeks** after birth.

Family Medical Leave Act (FMLA)

California Family Rights Act (CFRA)

I may get **up to 12 weeks** total job-protected leave to bond with my baby after I've recovered from childbirth, if I can check all the boxes below.

This applies to a newborn, newly adopted child or foster child in the first year.

- I worked for at least one year for my employer
- I worked for at least 1,250 hours in the last year for my employer
- My employer has at least five employees

Protecting My Pay

You may qualify for disability or other payments, while you're not working, before or after your baby is born.

Use the checklists in this section to see if you qualify:

I'm Employed or Worked Recently

State Disability Insurance (SDI)

I may get SDI payments up to 60-70% of weekly wages if I can check all the boxes below:

- I can't work or must work less because of my pregnancy
- My doctor will certify that I can't do my job because of my pregnancy
- I paid into SDI from my paycheck (check your paycheck for "CA SDI")
- I earned wages within the last 4-17 months

Standard payments: I'll generally qualify for SDI **four weeks before birth** and **six to eight weeks after birth**. This can be longer with a doctor's note.

Apply at www.EDD.ca.gov



I'm Employed or Worked Recently

Paid Family Leave (PFL)

I may get PFL payments up to 60-70% of weekly wages for **up to eight weeks**, if I can check all the boxes below:

- I'm not working because I'm bonding with my new baby, or newly adopted or fostered child with proof
- I paid into SDI from my paycheck (check your paycheck for "CA SDI")
- I earned wages within the last 4-17 months

Standard payments: After the SDI payments are used up, I'll receive up to eight weeks of PFL.

I'm Self-Employed

Disability Insurance Elective Coverage (DIEC) Program

I may get DIEC Program payments if I can check the first box and one of the last two boxes:

- I bought and paid into a DIEC program for at least one quarter in the past year
- I worked for one year and made \$4,600 or more

OR

- I worked for less than a year and made an average of \$1,150 per quarter

If I'm self-employed, I can choose to be a part of the Disability Insurance Elective Coverage Program. Contact the EDD to learn more.

Standard payments: After a one-week waiting period, the payments are for **up to 39 weeks**. This depends on my wages and is available while I'm disabled and bonding with my baby.

I'm Unemployed

Unemployment Insurance Program

I may qualify for state Unemployment Insurance benefits if I can check all the boxes below:

- I lost my job through no fault of my own (examples: laid off, being fired or quitting for good cause)
- I'm still able to work
- I'm actively looking for a job
- I meet the lowest income requirements

Please note: Work authorization status is required.

Standard payments: Up to \$450 per week for **up to 26 weeks**. This depends on my wages.

↓
Apply at www.EDD.ca.gov ←

More Tips

Your partner may be able to take leave and be paid while bonding with the child.

Use the checklists in this section to see if they qualify:

Leave from Work

Family Medical Leave Act (FMLA)

California Family Rights Act (CFRA)

I may get 12 weeks job-protected leave to bond with my baby, if I can check all the boxes below. This applies to a newborn, newly adopted child or foster child in the first year.

- I worked for at least one year for my employer
- I worked for at least 1,250 hours in the last year for my employer
- My employer has at least 5 employees



Request from employer

Pay While I'm on Leave

Paid Family Leave (PFL)

I may get PFL payments up to 70% of weekly wages for **up to eight weeks** if I can check all the boxes below:

- I'm not working, because I'm bonding with my new baby, or newly adopted or fostered child
- I paid into SDI from my paycheck (check your paycheck for "CA SDI")
- I earned wages within the last 4-17 months



Apply at www.EDD.ca.gov

Breastfeeding and Working

Lactation Accommodations Law: Once you return to work, you have the right to pump milk. Your employer must give you the time you need and a private place that is not a bathroom, with a place to sit, a place to set your pump, and access to water and electricity nearby.

Fair Employment and Housing Act: If you need changes at work because of your pregnancy, talk to your doctor and turn in a note to request them.

I'm pregnant, here's what I need to do:

- Talk to my employer to request a job-protected leave
- Ask my doctor to sign forms needed to request leave from my job and apply for SDI at www.edd.ca.gov
- Review the checklists in this booklet
- Gather facts at www.legalaidatwork.org/wf



4 Weeks Before Birth

Unemployment Insurance program:

If unemployed, I may get payments up to 26 weeks.

DIEC payments:

If self-employed, I may get payments up to 39 weeks.

I'm Pregnant!

START



My Baby Arrives!

14 Weeks After Birth

CFRA

18 Weeks After Birth

BACK TO WORK

CFRA:

If I qualify, I may take 12 weeks of job-protected leave to bond with my new baby after I have recovered from birth.

PFL:

I may apply for Paid Family Leave after my SDI payments end.* PFL payments can last up to eight weeks to bond with my baby, up to age 1.

6 Weeks After Birth

PFL

PDL:

I may start job-protected unpaid leave four weeks before my baby's birth with a doctor's note. It will generally last until six to eight weeks after delivery.

**PDL
SDI**

SDI:

I may get SDI payments for four weeks before my baby's birth and up to six to eight weeks after.

*The State automatically sends an application to apply for PFL.

Member Services

1-800-440-4347

1-800-718-4347 (TTY)

Monday–Friday, 7am–7pm
Saturday–Sunday, 8am–5pm



Inland Empire Health Plan

iehp.org

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