

I'm a
survivor

domestic violence / sexual assault + my job

see other side for

care-giver

of domestic violence,
sexual assault or stalking
and I have rights
related to:



JOB PROTECTION

Need time off
from your job?



WAGE REPLACEMENT

Need income
while you aren't
working?



ACCOMMODATIONS
AND EQUALITY

Need workplace
accommodations?
Facing
discrimination?

How this
might work

Lena is a survivor of DV and has depression. She needs 12 weeks off from work for treatment. When she returns to work, she needs to change her phone number and email address to prevent contact from her abuser at work.

THESE LAWS MAY HELP:

LAB. CODE

CALIFORNIA LABOR CODE § 230(C)

- Applies to all employers

CALIFORNIA LABOR CODE § 230.1

- 25+ employees

FMLA/CFRA

FAMILY MEDICAL LEAVE ACT / CALIFORNIA FAMILY RIGHTS ACT

- 1+ year of service
- 1250+ hrs of work in previous year
- 50+ employees w/in a 75 mile radius

SDI

STATE DISABILITY INSURANCE

- Unable to work, or working less, due to disability
- Paid into SDI fund during base period

UI

UNEMPLOYMENT INSURANCE

- Able to work but unemployed or working less through no fault of your own, including where forced to leave employment due to domestic violence

LAB. CODE

CALIFORNIA LABOR CODE § 230(F)

- Applies to all employers

CALIFORNIA LABOR CODE § 230(E)

- Applies to all employers

ADA/FEHA

AMERICANS WITH DISABILITIES ACT

- 15+ employees

FAIR EMPLOYMENT & HOUSING ACT

- 5+ employees;
1+ employee for harassment

Because they provide for:

- Job-protected, unpaid leave to attend court to ensure your or your child's health, safety or welfare

- Job-protected, unpaid leave for medical attention, safety planning, counseling or other services

- 12 weeks of job-protected, unpaid leave for serious health condition (can be taken intermittently)

- Continuation of health benefits

- Up to 55% of weekly wages for a max. of 52 weeks, after 1-week waiting period

- Up to \$450 per week for a max. of 26 weeks, after 1-week waiting period

- Survivors may request reasonable safety-related accommodations (such as enhanced security, modified schedule or transfer)

- Protection from discrimination and retaliation because of domestic violence, sexual assault or stalking

- Changes to the way you do your job, telecommuting, transfer, or more leave as a reasonable accommodation for disability

- Protection from discrimination, harassment, and retaliation because of disability

Here's what to do:

Request from your employer
(See sample letters at www.las-elc.org)

Request from your employer

Apply at
www.EDD.ca.gov

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Request from your employer
(See sample letters at www.las-elc.org)

Go to
www.dir.ca.gov/dlse/

Request from your employer
(See sample letters at www.las-elc.org)

Go to eeoc.gov or dfmh.ca.gov



job-protected leave

FMLA/CFRA; LAB. CODE; ADA/FEHA

reasonable safety
accommodation

LAB. CODE

WEEK 0

1

2

3

4

5

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7

8

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10

11

12

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14

15



wage replacement

Questions? Call:
888-864-8335

www.las-elc.org

LAS-ELC cannot ensure this information is current or be responsible for any use to which it is put.
CREATED WITH SUPPORT FROM THE KAISER PERMANENTE NORTHERN CALIFORNIA COMMUNITY
BENEFIT PROGRAMS.

Legal Aid Society—
Employment Law Center



for a survivor of
domestic violence,
sexual assault or stalking

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How this
might work

Cory needs 12 weeks
off to care for his
mother who has post
traumatic stress
disorder (PTSD).
After that, he needs a
flexible schedule to
help her with follow
up medical treat-
ment.

domestic violence / sexual assault + my job

see other side for **survivor**

survivor

THESE LAWS MAY HELP:

FMLA/CFRA IF CARING FOR

FAMILY MEDICAL LEAVE ACT / CALIFORNIA FAMILY RIGHTS ACT

- 1+ year of service
- 1250+ hrs of work in previous year
- 50+ employees w/in a 75 mile radius

Because they provide for:

- Job-protected, unpaid leave for a max. of 12 weeks to care for a seriously ill family member (can be taken intermittently)
- Continuation of health benefits

Here's what to do:

**Request from
your employer**

PFL child parent parent-in-law spouse domestic partner sibling grandparent grandchild

CALIFORNIA PAID FAMILY LEAVE

- On leave to care for a seriously ill family member
- Paid into SDI fund during base period

- Up to 55% of weekly wages for a max. of 6 weeks, after 1-week waiting period (can be taken intermittently)

**Apply at
www.EDD.ca.gov**

PSD child parent spouse domestic partner sibling grandparent grandchild designated person

SF PAID SICK DAYS

- Work in San Francisco
- Worked at least 90 days

- SF paid time off (accrued)
9 days (if 10+ employees)
5 days (if less than 10 employees)
- CA paid time off (accrued)
6 days (employer may cap use at 3 days per year)

**Request from
your employer**

CA PAID SICK DAYS

- Effective July 2015

- Protection from retaliation

**Go to sfgov.org/olse/pslo or
www.dir.ca.gov/dlse/**

UI

UNEMPLOYMENT INSURANCE

- Able to work but unemployed or working less through no fault of your own (laid off/fired, leave not granted)

- Up to \$450 per week for a max. of 26 weeks, after 1-week waiting period

**Apply at
www.EDD.ca.gov**

SF FFWO

child parent over 65 any seriously ill family member

SF FAMILY FRIENDLY WORKPLACE ORDINANCE

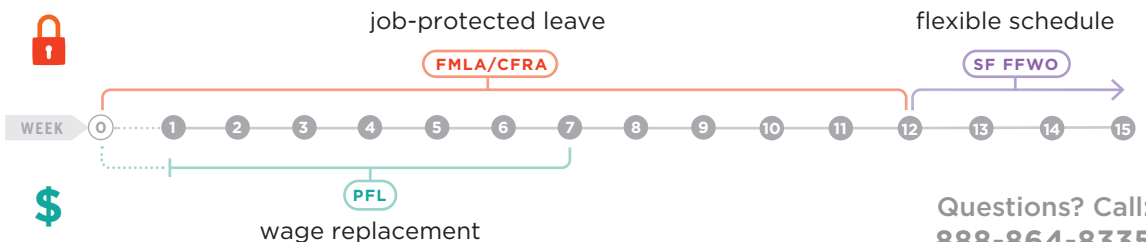
- Work in San Francisco
- Worked at least 6 months
- 20+ employees

- Right to request flexible or predictable work arrangements to help with family caregiving

**Request from
your employer
(See sample letters
at www.las-elc.org)**

- Protection from discrimination and retaliation

Go to sfgov.org/olse/ffwo



Questions? Call:
888-864-8335