**I’m a survivor**

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?

### THESE LAWS MAY HELP:

**LAB. CODE**

**CALIFORNIA LABOR CODE § 230(C)**
- Applies to all employers
  - Job-protected, unpaid leave to attend court to ensure your or your child’s health, safety or welfare
  - Request from your employer
    (See sample letters at www.las-elc.org)

**CALIFORNIA LABOR CODE § 230.1**
- 25+ employees
  - Job-protected, unpaid leave for medical attention, safety planning, counseling or other services
  - Request from your employer

**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
  - 12 weeks of job-protected, unpaid leave for serious health condition (can be taken intermittently)
  - Continuation of health benefits
  - Request from your employer

**STATE DISABILITY INSURANCE**
- Unable to work, or working less, due to disability
  - Up to 55% of weekly wages for a max. of 52 weeks, after 1-week waiting period
  - Apply at www.EDD.ca.gov

**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
  - Up to $450 per week for a max. of 26 weeks, after 1-week waiting period
  - Apply at www.EDD.ca.gov

**LAB. CODE**

**CALIFORNIA LABOR CODE § 230(F)**
- Applies to all employers
  - Survivors may request reasonable safety-related accommodations (such as enhanced security, modified schedule or transfer)
  - Request from your employer
    (See sample letters at www.las-elc.org)

**CALIFORNIA LABOR CODE § 230(E)**
- Applies to all employers
  - Protection from discrimination, harassment, and retaliation because of domestic violence
  - ADA/FEHA
  - Protection from discrimination, harassment, and retaliation because of disability

**AMERICANS WITH DISABILITIES ACT**
- 15+ employees
  - Changes to the way you do your job, telecommuting, transfer, or more leave as a reasonable accommodation for disability
  - Request from your employer
    (See sample letters at www.las-elc.org)

**FAIR EMPLOYMENT & HOUSING ACT**
- 1+ employee for harassment
  - Protection from discrimination, harassment, and retaliation because of disability
  - Go to www.eeoc.gov or dfeh.ca.gov

### 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.

**job-protected leave**
- FMLA/CFRA; LAB. CODE; ADA/FEHA
- Go to www.dir.ca.gov/dlse/

**reasonable safety accommodation**
- LAB. CODE
- Go to www.dir.ca.gov/dlse/

**WAGE REPLACEMENT**
- SDI
- Apply at www.EDD.ca.gov

**Questions? Call:**
- 888-864-8335

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.
I’m a caregiver for a survivor of domestic violence, sexual assault or stalking and I have rights related to:

### Domestic Violence / Sexual Assault + My Job

#### These Laws May Help:

<table>
<thead>
<tr>
<th>Law</th>
<th>IF Caring For</th>
<th>Because They Provide:</th>
<th>Here’s What To Do:</th>
</tr>
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<tbody>
<tr>
<td><strong>FMLA/CFRA</strong></td>
<td>child, parent, spouse, domestic partner</td>
<td>Job-protected, unpaid leave for a max. of 12 weeks to care for a seriously ill family member (can be taken intermittently)</td>
<td>Request from your employer</td>
</tr>
<tr>
<td><strong>Family Medical Leave Act / California Family Rights Act</strong></td>
<td></td>
<td>Continuation of health benefits</td>
<td></td>
</tr>
<tr>
<td><strong>CALIFORNIA PAID FAMILY LEAVE</strong></td>
<td>child, parent, parent-in-law, spouse, domestic partner, sibling, grandparent, grandchild</td>
<td>Up to 55% of weekly wages for a max. of 6 weeks, after 1-week waiting period (can be taken intermittently)</td>
<td>Apply at <a href="http://www.EDD.ca.gov">www.EDD.ca.gov</a></td>
</tr>
<tr>
<td><strong>SF PAID SICK DAYS</strong></td>
<td>child, parent, spouse, domestic partner, sibling, grandparent, grandchild, designated person</td>
<td>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)</td>
<td>Request from your employer</td>
</tr>
<tr>
<td><strong>CA PAID SICK DAYS</strong></td>
<td></td>
<td>Protection from retaliation</td>
<td></td>
</tr>
<tr>
<td><strong>UNEMPLOYMENT INSURANCE</strong></td>
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<td>Up to $450 per week for a max. of 26 weeks, after 1-week waiting period</td>
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</tr>
<tr>
<td><strong>SF FAMILY FRIENDLY WORKPLACE ORDINANCE</strong></td>
<td>child, parent over 65, any seriously ill family member</td>
<td>Right to request flexible or predictable work arrangements to help with family caregiving Protection from discrimination and retaliation</td>
<td>Request from your employer</td>
</tr>
<tr>
<td><strong>PFL</strong></td>
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<td>Go to sfgov.org /lse/ffwo</td>
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<tr>
<td><strong>PSD</strong></td>
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<td>Go to sfgov.org /lse/pslo or <a href="http://www.dir.ca.gov/dlse/">www.dir.ca.gov/dlse/</a></td>
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<td><strong>UI</strong></td>
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### Need Time Off From Your Job?

#### Wage Replacement

Need income while you aren’t working?

- **PFL**
  - Child, parent, parent-in-law, spouse, domestic partner, sibling, grandparent, grandchild, designated person
  - On leave to care for a seriously ill family member
  - Paid into SDI fund during base period

- **PSD**
  - Child, parent, spouse, domestic partner, sibling, grandparent, grandchild, designated person
  - 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)

### Need Workplace Accommodations? Facing Discrimination?

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

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

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

- **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

- **CALIFORNIA PAID FAMILY LEAVE**
  - On leave to care for a seriously ill family member
  - Paid into SDI fund during base period

- **SF PAID SICK DAYS**
  - Work in San Francisco
  - Worked at least 90 days

- **CA PAID SICK DAYS**
  - Effective July 2015

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

- **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

Questions? Call: 888-864-8335

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 treatment.

www.las-elc.org

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