

	FAMILY MEDICAL LEAVE ACT (FMLA)	CALIFORNIA FAMILY RIGHTS ACT (CFRA)	AMERICANS WITH DISABILITIES ACT (ADA)	CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT (FEHA)	PREGNANCY LEAVE ACT (PDL)	CALIFORNIA WORKERS COMPENSATION ACT (WCA)
EMPLOYER COVERAGE	50 employees or more	50 employees or more	15 employees or more	5 employees or more	5 employees or more	Any employer
EMPLOYEE ELIGIBILITY	Employees who have been: (1) employed by the employer for at least 12 months (does not need to be consecutive 12 months); (2) employed for at least 1250 hours during the 12-month period immediately before commencement of leave; and (3) are employed at a worksite where, within 75 miles, 50 or more employees work or employed by a public employer.	Employees who have been (1) employed by the employer for at least 12 months (does not need to be consecutive 12 months); (2) employed for at least 1250 hours during the 12-month period immediately before commencement of leave; and (3) are employed at a worksite where, within a 75 mile radius (can be scattered around), 50 or more employees work or are employed by a public employer.	Employees who (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record of the impairment; or (3) are regarded as having such an impairment. Employee also must be able to perform the essential functions of their jobs, with or without reasonable accommodation.	Employees who (1) have a physical or mental impairment that limits one or more major life activities; (2) have a record of such an impairment; or (3) are regarded by the employer as having such an impairment. Employees also must be able to perform the essential functions of her job, with or without reasonable accommodation.	All employees, regardless of length of service, who are disabled by pregnancy, childbirth, or related medical conditions.	All employees, regardless of length of service, who incur a work-related injury or illness.
REASON FOR LEAVE	Leave may be taken (1) for employee's serious health condition; (2) to care for a child, parent, or spouse who has a serious health condition; (3) for the birth	Leave may be taken (1) for the employee's serious health condition; (2) to care for a child, parent, spouse, registered domestic partner, or child of a registered	Leave may be provided as a reasonable accommodation of the known physical or mental limitations or a qualified individual with a disability, absent undue	Leave may be provided as a reasonable accommodation of the known physical or mental limitations of a qualified individual with a disability, absent undue hardship.	Leave may be taken because the employee (1) is unable to work at all due to pregnancy, childbirth, or related medical conditions; (2) is unable to perform any one or more of the	Employee is unable to work because of a work-related injury or illness.

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	<p>or adoption of a child or placement of a foster child with the employee; (4) for any urgent and extraordinary need that arises because employee is the spouse, child, or parent of a National Guard member or reservist leaving for active duty or on active duty; or (5) to care for spouse, child, parent, or next of kin of employee who incurred a serious illness or injury while on active military duty. Pregnancy can qualify under this law as a serious health condition, but generally such leave runs concurrent with PDA leave.</p>	<p>domestic partner who has a serious condition; or (3) for the birth or adoption of a child or placement of a foster child with the employee.</p>	<p>hardship on employer.</p>		<p>essential functions of her job; or (3) is unable to perform the essential functions of her job without undue risk to herself, to the successful completion of her pregnancy, or to other persons; or (4) is suffering from severe morning sickness or needs time off for prenatal care.</p>	
LENGTH OF LEAVE	Up to 12 weeks in a 12-	Up to 12 weeks in a 12-	Whether leave constitutes a	Whether leave constitutes a	Up to 4 months for the period	The amount of leave depends

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	month period. In addition, if employee is the spouse, child, parent or next of kin of a covered service member who is recovering from a serious illness or injury sustained while on active duty, employee is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member.	month period.	reasonable accommodation depends on the circumstances. An indefinite leave of absence is not a reasonable accommodation.	reasonable accommodation depends on the circumstances. An indefinite leave of absence is not a reasonable accommodation.	of the time that employee is actually disabled by pregnancy (pro-rated for part-time employee). Can be used intermittently as well, such as pregnancy wellness visits.	on the extent of the injury/illness and the doctor's assessment of the employee's fitness to return to work. There is no legal limit on time an employee may be on workers' compensation leave.
NOTICE OBLIGATIONS OF EMPLOYEE AND EMPLOYER	Employee must provide employer at least 30 days notice if leave is foreseeable. If 30 days' notice is not practicable, notice must be given as soon as possible.	Employee must provide employer at least 30 days notice if leave is foreseeable. If 30 days' notice is not practicable, notice must be given ASAP. On employer's part, she must notify employee of CFRA qualifying designation; post a notice in the workplace re. right to	Employer must engage in timely, good faith, interactive process with employee to determine effective reasonable accommodations, if any, on notification of employee's disability and desire for accommodation.	Employee must advise employer ASAP of any restrictions that must be accommodated. Employer has an independent statutory duty to engage in a timely, good faith, interactive process with employee to determine effective reasonable accommodations.	Employee must provide at least 30 days' notice if need for leave is foreseeable. If 30 days' notice is not practicable, notice must be given as soon as practicable. Employer must provide notice to employee of her PDL rights by (1) posting notice in workplace; (2) including a description of PDL in employee handbook, if	Employee must report injury within 30 days of date of injury. By end of first pay period, employer must give all new employees (1) a pamphlet describing their rights, obligations, and benefits under workers' comp laws, and (2) a form for pre-designating a personal physician or chiropractor. Employer must

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		request CFRA leave, and include description of such leave in employee handbook.			handbook describes other types of leaves and (3) giving employee a copy of appropriate notice as soon as practicable after learning employee is pregnant.	provide a worker's compensation claim form to the employee within 1 working day of learning of employee injury requiring more than first aid or resulting in lost time beyond the date of injury.
CONTINUATION OF BENEFITS DURING LEAVE	During leave, employer must maintain employee's coverage under any group health plan on same conditions as coverage would have been provided if employee had been continuously employed during entire leave period. Employee's entitlement to other benefits is governed by employer's policy for providing such benefits to employees on other types of leave.	Employer shall maintain and pay for employee's health coverage at same level and under same conditions as if employee had been continuously employed during entire leave period. During leave, employee is entitled to accrual of seniority and to participate in health plans for any additional period beyond the leave to same extent and under same conditions applicable to non-CFRA leave granted by employer.	Health insurance benefits must be continued for up to 12 weeks if employee is also eligible for FMLA/CFRA leave. Employee on a leave that does not run concurrently with family medical leave is entitled to same benefits available to employees on other leaves not covered by FMLA or CFRA.	Health insurance benefits must be continued for up to 12 weeks if employee is also eligible for FMLA/CFRA leave. Employee on a leave that does not run concurrently with family medical leave is entitled to same benefits available to employees on other leaves not covered by FMLA or CFRA.	Health insurance benefits must be continued for up to 12 weeks if employee is also eligible for FMLA leave. Employee on PDL alone is entitled to accrue seniority and participate in health plans, employee benefit plans, and insurance, pension, and retirement plans to same extent and under same conditions applicable to any other unpaid disability leave granted by employer for a reason other than pregnancy disability.	Health insurance benefits must be continued for up to 12 weeks if employee is also eligible for FMLA/CFRA. Beyond that point, injured employee is entitled to maintain benefits in accordance with employer's policy for providing such benefits to employees on other leaves.

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APPLYING SICK LEAVE OF VACATION TO LEAVE	Employee may substitute accrued paid leave for FMLA leave for any qualifying reason. Employee must follow the same terms and conditions of employer's policy applicable to employees taking leave for something other than FMLA.	Employee may elect to use any accrued vacation or other paid accrued time off, other than accrued sick leave, that employee is otherwise eligible to take during unpaid portion of CFRA leave. Employer may require employee to use, or employee may elect to use, any accrued sick leave employee is otherwise eligible to take during unpaid portion of CFRA leave for (1) employee's own serious health condition, or (2) any other reason, if mutually agreed to by employer and employee.	If leave runs concurrently with FMLA/CFRA, application of sick leave or vacation will be governed by those laws. Otherwise, employee is entitled to apply sick pay or vacation leave to same extent and under same conditions that would govern leave granted for any purpose other than reasonable accommodation under the ADA.	If leave runs concurrently with FMLA/CFRA, application of sick leave or vacation will be governed by those laws. Otherwise, employee is entitled to apply sick pay or vacation leave to same extent and under same conditions that would govern leave granted for any purpose other than reasonable accommodation under the FEHA.	Employer may require employee to use, or employee may elect to use, any accrued sick leave during unpaid portion of PDL. Employee may elect, at her option to use any vacation or other accrued personal time off that employee is otherwise eligible to take during unpaid portion of PDL.	Employee may use accrued sick leave and vacation to cover time missed from work due to work-related injury or illness or related medical treatment.
RIGHT TO WORK ON AN INTERMITTENT BASIS DURING LEAVE	Employee may take leave intermittently or on a reduced leave schedule after the birth or placement	Employee may take leave on an intermittent basis or work a reduced schedule for his / her own serious health	Intermittent leave, work on a reduced schedule, or part-time work may be a reasonable any	Intermittent leave, work on a reduced schedule, or part-time work may be a reasonable accommodation of employee's	Leave may be taken intermittently or employee may work a reduced schedule when medically advisable, as	Employee may allow employee to take leave on an intermittent basis or work a reduced schedule to accommodate any

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	of a child for adoption or foster care only if employer agrees. FMLA leave for all other purposes generally does not require agreement of employer, but may require certification of employee's or family member's health care provider. Employee may be temporarily transferred during period of intermittent leave under certain circumstances.	condition or to care for a seriously ill family member. Leave for "baby bonding" purposes must be taken in increment of at least 2 weeks. But employer must grant a request for a CFRA "baby bonding" leave of less than 2 weeks' duration on any two occasions.	accommodation of employee's disability, depending on the circumstances. Such work must be provided, even if employer does not provide such schedules to other employees.	disability, depending on the circumstances. Such work must be provided, even if employer does not provide such schedules to other employees.	determined by employee's health care provider. Employer may require employee who needs intermittent leave to temporarily transfer to an available alternative position with equivalent pay and benefits.	restrictions. Employer is not required by law to provide light duty work that accommodates employee's restriction.
EMPLOYEE'S RIGHT TO RETURN TO WORK	Employee shall be reinstated to the same or a comparable position at the end of the leave, unless employment would have ceased if employee had not taken leave or employee is a "key employee." "Comparable" means	Employee must be returned to position held before leave if employee can perform essential functions of job with or without reasonable accommodation, employer should transfer employee to a comparable, vacant position for which employee	Employee must be returned to position held before leave if employee can perform essential functions of job with or without reasonable accommodation. If employer cannot perform essential functions of job with or without reasonable	Employee must be returned to position held before leave if employee can perform essential functions of job with or without reasonable accommodation. If employer cannot perform essential functions of job with or without reasonable accommodation, employer	Employer must guarantee employee reinstatement to the same position or a comparable one when granting PDL or a transfer. When employer's health care provider certifies there is no further medical need for transfer, intermittent leave, or leave on any basis, employer	Employee is entitled to return to same position held before the work-related injury or illness unless (1) job had to be filled or eliminated for business reasons, or (2) employee can no longer perform job duties due to restrictions.

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	employment that is the same in terms of employee's pay, benefits, working conditions, and status. Employee unable to return to work on expiration of leave due to continued disability may be eligible for extended leave as a reasonable accommodation.	is qualified or to a lower-paying job, if no comparable job is open. No duty to reassign if employer would incur undue hardship or no vacant positions are available.	accommodation, employer should transfer employee to a vacant position for which employee is a qualified or to a lower-paying job if no comparable job is open. No duty to reassign if employer would incur undue hardship or no vacant positions are available.	should transfer employee to a vacant position for which employee is a qualified or to a lower-paying job if no comparable job is open. No duty to reassign if employer would incur undue hardship or no vacant positions are available.	must reinstate employee to same or comparable position. Reinstatement right of employee eligible for CFRA leave on expiration of PDL is governed by CFRA.	