

Paid Family Leave Needs and Opportunities for Older Adults

Caregivers for adults with dementia have rights and protections related to their jobs and taking paid leave to care for a family member.

	JOB PROTECTION: CALIFORNIA FAMILY RIGHTS ACT	PAY REPLACEMENT: PAID FAMILY LEAVE THROUGH CALIFORNIA'S EMPLOYMENT DEVELOPMENT DEPARTMENT (EDD)
WHAT THE LAW PROVIDES	<ul style="list-style-type: none"> • Job protected, unpaid leave for a maximum of 12 weeks per year to care for a seriously ill family member • Unpaid leave can be taken intermittently • Continuation of health benefits 	<ul style="list-style-type: none"> • Provides family caregivers with up to 60-70% of weekly wages depending on income, for a maximum of 8 weeks per year* • Can be taken intermittently <p>*Benefit rates will increase to 90% for low-middle income workers in 2025</p>
ELIGIBILITY	<ul style="list-style-type: none"> • Must have worked at the employer for one year • Employer must have 5+ employees • Caregiver must have worked for the employer for 1 year and 1250+ hours (about 25 hours/week) in the last year • Must be a caregiver for a seriously ill family member: a child, parent, parent-in-law, spouse, registered domestic partner, sibling, grandparent, grandchild, or (starting in 2023) a designated person who is related by blood or who is like family to the employee 	<ul style="list-style-type: none"> • Caregiver has paid into State Disability Insurance (CASDI on most paystubs) in the past 5-18 months • Must be a caregiver for a seriously ill family member: a child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner • Caregiver must not have taken the maximum 8 weeks of paid family leave in the past 12 months

This handout was created as part of Dementia Care Aware in partnership with Legal Aid at Work. It is not intended to provide or substitute for legal advice in specific patient cases. Last updated: 04/2023

<p>HOW A HEALTH CARE PROVIDER CAN ASSIST A PATIENT AND THEIR CAREGIVER</p>	<p>An employer may ask a caregiver for a medical certification from the patient's health care provider. Diagnosis should not be disclosed on this form.</p> <ul style="list-style-type: none"> - Sample Certification Form 	<p>Healthcare provider for the patient needs to complete a medical certification to be submitted to the EDD</p>
	<p>Call the Legal Aid at Work (LAAW) Work & Family Helpline: 800-880-8047</p> <p>Sample medical notes and medical certification can be found at Legal Aid at Work's website: https://legalaidatwork.org/</p>	