

## **Pregnancy Disability Leave Law (PDL), Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA)**

### **PDL**

The California Pregnancy Disability Leave law (PDL) is part of California Fair Employment and Housing Act (FEHA). It requires employers to provide an employee up to four months of leave for disability due to an employee's pregnancy, childbirth or related medical condition.

### **PDL v. CFRA and FMLA**

FMLA (Family and Medical Leave Act) - a federal law allowing a qualifying employee to take up to 12 weeks of time off work due to a serious medical condition also applies to pregnancy, child birth or related condition. CFRA (California Family Rights Act) *expressly excludes* pregnancy and child birth from its list of conditions entitling an employee to a CFRA leave.

### **PDL and FMLA Run Concurrently**

PDL and FMLA will run concurrently. Thus, if an employee uses 12 weeks of PDL, she will also have exhausted the 12 weeks of her FMLA Leave allowance.

### **PDL and CFRA do not Run Concurrently**

Since CFRA leave rights do not apply to pregnancy and related conditions, PDL and CFRA do not overlap. Thus, after taking PDL/FMLA leave, an employee can take up to 12 weeks of CFRA leave "for reasons of the birth of her child, if the child has been born by this date," assuming that CFRA entitled for that year has not yet been exhausted for other reasons. This is also referenced occasionally as "bonding" leave.

**To qualify for a FMLA or CFRA leave, an employee must have at least 12 months of employment with the University. In addition, the employee must have worked at least 1,250 hours (an average of about 24 hours per week) during the prior 12 month period.**