

FMLA/CFRA

FMLA (Family Medical Leave Act): (29 C.F.R. Section 825.120)

CFRA (California Family Rights Act) Regulations: (Cal.Code Regs., tit.2, section 7297.0)

Family and Medical Leave Act (FMLA)	California Family Rights Act (CFRA)
Applies to employers with 50 or more employees	Applies to employers with 50 or more employees
Worked 1,250 hours in prior 12month period	Worked 1,250 hours in prior 12 month period
Up to 12 weeks of leave for qualifying events.	Up to 12 weeks of leave for qualifying events.
Technically, cannot be taken intermittently.	Can be taken intermittently.
Runs concurrently with CFRA	Runs concurrently with FMLA

General rules for CFRA/FMLA:

A covered employer must grant an eligible employee up to a total of 12 workweeks of unpaid leave in a 12 month period for one or more of the following reasons:

- 1) To care for the employee’s child after birth, or placement for adoption or foster care;
- 2) To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition, or
- 3) For a serious health condition that makes the employee unable to perform the employee’s job

A determination must be made within five (5) working days:

- 4) Medical certification is required, either for the employee’s own serious health condition, or for the serious health condition of the employee’s spouse, son, daughter or parent.