608 California Family Rights Act (CFRA)

Employees with at least one year of employment with GGU, who also have provided at least 1,250 hours of service during the 12 months preceding the leave request date, are eligible for family care and medical leave under the California Family Right Act (CFRA).

CFRA leave is unpaid. However, GGU requires an employee to substitute hours of paid time off (that is, unused sick leave and accrued vacation time) for periods of unpaid leave due to the employee’s own serious health condition. If the leave is for the purpose of caring for a family member, an employee must substitute hours of sick leave for unpaid time off, but an employee may elect to substitute vacation time for any period of unpaid leave. The substitution of paid time off for unpaid leave cannot extend the length of the leave.

A leave of absence qualified under the CFRA is essentially identical to the federal Family and Medical Leave Act (FMLA). (The section of FMLA may be consulted for most information relative to the CFRA.) A leave of absence under the CFRA may run concurrently with leave under the FMLA; however, unlike the FMLA, the CFRA does not regard pregnancy or related conditions of childbirth to be a disability, because California provides for a separate Pregnancy Disability Leave (PDL). Therefore, in cases of maternity, an eligible employee may use the CFRA for up to 12 weeks of “bonding leave” only after exhausting any PDL.

Under the CFRA an eligible employee may be granted a maximum of 12 workweeks of family care and medical leave during any 12-month period. The 12-month period is measured on a “rolling basis,” looking backward from the date an employee uses any family care and medical leave. As a result, each time an employee takes family care and medical leave under the CFRA, the remaining leave entitlement would be any balance of the 12 weeks that have not been used during the immediately preceding 12 months.

Family care and medical leave taken for the birth of a child, the placement of a child for adoption or foster care, or bonding leave must generally be taken in segments of no less than two weeks’ duration, unless GGU and the employee agree otherwise.

The 12 weeks of bonding leave is available to eligible male and female employees alike. Accordingly, an eligible male employee may take a parental leave of absence to bond with a newborn or newly adopted child under the CFRA. GGU requires the substitution of sick pay for any unpaid time off; however, the employee may elect to substitute vacation pay for any unpaid time off. If both the mother and the father work for GGU, certain limitations are placed on the amount of leave time allotted to each under the CFRA.