



#### EMPLOYMENT LAW GROUP

Our team of talented employment attorneys will assist you in navigating California's unique business environment as it relates to the hiring, managing, pay, and separation of employees.

We work closely with our clients to identify issues and avoid disputes. Our clients rely on us for advice on day-to-day personnel and benefits issues as well as handling complex and high exposure litigation and other disputes.

- Advice and Counsel
- Litigation
- Internal Audits
- Training

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ATTORNEYS

## Recap of 2018 Employment Law Update Seminar

### HIRE

**“Ban the Box” (AB 1008; Gov. Code, § 12952):** This law makes it generally illegal for employers with five or more employees to ask about criminal history on job applications or consider an applicant's criminal history until after the employer has made a conditional offer of employment to the applicant. This law is in addition to San Francisco and Los Angeles' pre-existing “Ban the Box” ordinances. Employers must comply with both state and local laws.

**Salary History (AB 168; Labor Code, § 432.3) and San Francisco's Parity in Pay Act (San Francisco Police Code § 3300J):** Employers cannot ask about an applicant's compensation history and cannot rely on compensation history when determining whether to offer employment and/or in determining what compensation to offer an applicant. (Note that pursuant to Labor Code § 432.3, when an applicant voluntarily discloses compensation history, an employer may consider or rely on that information in determining the applicant's salary).

### COMPENSATE

#### Minimum Wage Updates

**Statewide minimum wage as of January 1, 2018:** \$10.50 per hour (25 employees or fewer)/\$11.00 per hour (26 employees or more)

**Municipal ordinance-based minimum wage as of January 1, 2018 (unless otherwise noted):**

- Berkeley:
  - January 1, 2018: \$13.75
  - October 1, 2018: \$15.00
- Cupertino: \$13.50
- El Cerrito: \$13.60

## COMPENSATE

- Emeryville:
  - January 1, 2018: \$14.00 (55 or fewer employees)/\$15.20 (56 or more employees)
  - July 1, 2018: \$15.00 (55 or fewer employees)/\$15.60 (estimated) (56 or more employees)
- Los Altos: \$13.50
- Los Angeles:
  - January 1, 2018: \$10.50 (25 or fewer employees)/\$12.00 (26 or more employees)
  - July 1, 2018: \$12.00 (25 or fewer employees)/\$13.25 (26 or more employees)
- Malibu:
  - January 1, 2018: \$10.50 (25 or fewer employees)/\$12.00 (26 or more employees)
  - July 1, 2018: \$12.00 (25 or fewer employees)/\$13.25 (26 or more employees)
- Milpitas:
  - January 1, 2018: \$12.00
  - July 1, 2018: \$13.50
- Mountain View: \$15.00
- Oakland: \$13.23
- Palo Alto: \$13.50
- Pasadena:
  - January 1, 2018: \$10.50 (25 or fewer employees)/\$12.00 (26 or more employees)
  - July 1, 2018: \$12.00 (25 or fewer employees)/\$13.25 (26 or more employees)
- Richmond: \$13.41
- San Diego: \$11.50
- San Francisco:
  - January 1, 2018: \$14.00
  - July 1, 2018: \$15.00
- San Jose: \$13.50
- San Leandro:
  - January 1, 2018: \$12.00
  - July 1, 2018: \$13.00
- San Mateo: \$13.50 (general)/\$12.00 (for 501(c)(3) non-profits)
- Santa Clara: \$13.00
- Santa Monica:
  - January 1, 2018: \$10.50 (25 or fewer employees)/\$12.00 (26 or more employees)
  - July 1, 2018: \$12.00 (25 or fewer employees)/\$13.25 (26 or more employees)
- Sunnyvale: \$15.00

## COMPENSATE

### California Pay Increases

- Partially-exempt inside sales commissioned employees: \$15.75 (25 or fewer employees)/\$16.50 (26 or more employees)
- Employees who provide their own tools: \$21.00 (25 or fewer employees)/\$22.00 (26 or more employees)
- Exempt physicians and surgeons: \$79.39 per hour
- Computer Software Professionals: \$43.58 per hour/\$7,565.85 per month/\$90,790.07 per year

**California Salary Thresholds for Exempt Employees:** \$43,680.00 (25 or fewer employees)/\$45,760.00 (26 or more employees)

**IRS Reimbursement Rate:** 54.5 cents per mile

**Wage Discrimination (AB 46; Labor Code, §§ 1197.5, 1199.5):** This law expands the California Fair Pay Act—which prohibits wage discrimination based on gender, race, and ethnicity—to cover public employers. However, the penalty/damages portion of the Act only applies to private employers.

**Contractors Liable for Unpaid Wages of Subcontractors' Employees (AB 1701; Labor Code, § 218.7):** Contractors are liable for the unpaid wages, benefits, or contributions that a subcontractor fails to pay for labor connected to a contract. The Governor issued a memo when he signed the bill that said that the sponsors of the law committed to sponsoring legislation next year to clarify any confusion over the scope of the new law.

**Employees Entitled to a “Day of Rest” (*Mendoza v. Nordstrom, Inc.* (2017) 2 Cal.5th 1074):** An employee is entitled to a day of rest after working six consecutive days in a defined workweek. The day of rest requirement is triggered even if the employee works less than 30 hours in a workweek if the employee works more than six hours any day during that workweek. An employee can waive the day of rest as long as the employer makes the employee aware of the right to a day of rest and remains neutral about the employee’s choice to work the seventh day.

**Paying Commissioned Employees for Rest Breaks (*Vaquero v. Stoneledge Furniture, LLC* (2017) 9 Cal.App.5th 98):** The California Court of Appeals held that commissioned hourly employees have to be paid separately for rest breaks.

## MANAGE

### Municipal Paid Sick Leave Laws

- Berkeley's paid sick leave ordinance (BMC § 13.100) went into effect on October 1, 2017. It provides that employees who work at least two hours per week in Berkeley and are entitled to minimum wage accrue one hour of paid sick leave for every 30 hours worked. Employers may provide covered employees with an advance of paid sick leave, so long as the employee can accrue additional paid sick leave after working enough hours to have accrued the amount allocated up front. Small employers (25 or fewer employees) may cap accrual and usage at 48 hours; employers with 26 or more employees may cap accrual at 72 hours, but they may not cap usage.
- Los Angeles's paid sick leave ordinance (LAMC § 187.06) now applies to all employers, not just large employers.
- Santa Monica's paid sick leave ordinance (SMMC § 4.62.025) increased the caps on how much paid sick leave an employee can accrue on January 1, 2018: small employers (those with 25 or fewer employees) may cap accrual at 40 hours per year (however the California statute requires a minimum of 48 hours); large employers (those with 26 or more employees) may cap accrual at 72 hours per year.

### Immigration Enforcement (AB 450; Gov. Code, §§ 7285.1, 7285.2, 7285.3, Labor Code, § 1019.2):

Employers (1) may not voluntarily permit an immigration enforcement agent to enter nonpublic areas of workplace without judicial warrant; (2) may not voluntarily permit an immigration enforcement agent to access, review, or obtain employee records without subpoena or court order; (3) must give notice to current employees of an inspection within 72 hours of receiving notice of the inspection; and (4) must give notice to affected employees within 72 hours of receipt of results of the investigation. Penalties range from \$2,000 to \$10,000 per violation.

**Legalization of Marijuana (California Proposition 64):** Effective January 1, 2018, buying marijuana in California was decriminalized under California law. Employers may still prohibit employees from being under the influence of marijuana at work. Marijuana is still an illegal controlled substance under Federal law.

**Revisions to the Fair Employment and Housing Act (AB 1556; Gov. Code, §§ 12900 et seq.):** The law deletes all gender-specific personal pronouns in the Fair Employment and Housing Act, which includes the statute authorizing Pregnancy Disability Leave, further protecting the rights of transgender, nonbinary, and gender nonconforming persons.

**Paid Family Leave (AB 908; CUCI, §§ 2655, 2655.1, 3303):** This 2017 law increases the amount of paid family leave benefits from 55% of weekly wages to 60% or 70% depending on the income of the employee and also removes the seven-day waiting period for eligibility for Paid Family Leave.

## MANAGE

**San Francisco Paid Parental Leave Ordinance:** The Ordinance supplements Paid Family Leave payments to full wages (up to a cap) while the employee is on parental leave. As of January 1, 2018, the Ordinance applies to all private employers with 20 or more total employees. The Ordinance is not a leave entitlement.

**“Baby Bonding” Leave for Small Employers (SB 63; Gov. Code, § 12945.6):** Public and private employers with 20 to 49 employees within a 75-mile radius must permit eligible employees to take up to 12 weeks of unpaid, job protected leave to bond with a newborn or newly placed foster or adopted child. While the employee is on bonding leave, the employer must pay for and maintain the employee’s health care. The new leave requirement does not apply to employees who are covered by both the FMLA (Family and Medical Leave Act) and the CFRA (California Family Rights Act).

**San Francisco Lactation in the Workplace Ordinance:** The Ordinance requires employers to specify the process employees can use to request an accommodation to breastfeed, defines the minimum standards for lactation locations, outlines best practices, and changes the San Francisco Building Code to specify the technical specifications for lactation rooms.

**Notifications for Victims of Domestic Violence, Sexual Assault, and Stalking (AB 2337; Labor Code, § 230.1):** Per the 2017 statute, the Labor Commissioner developed a new form that employers may use to comply with the statute’s requirements to inform new employees in writing of protections from employment discrimination or retaliation for exercising their rights if they are a victim of domestic violence, sexual assault, or stalking and inform current employees in writing upon request.

**Additions to Mandatory Sexual Harassment Training (SB 396; Gov. Code, §§ 12950, 12950.1, CUIIC §§ 14005, 14012):** Employers with 50 or more employees must include, as a component of their harassment prevention training, training regarding harassment based on gender identity, gender expression, and sexual orientation; the training must include practical examples. Employers with five or more employees must post a new notice (developed by the Department of Fair Employment and Housing) regarding transgender rights in all workplaces in addition to the existing poster on discrimination in employment.

## SEPARATE

**Employers should step up their harassment prevention efforts in 2018.** While the law on harassment remains unchanged, employers would be wise to audit and update their harassment policies, complaint procedures, and investigation procedures. Employers should also strongly consider providing training for all employees—not just supervisors—regardless of the company’s employee headcount.

**Courts Have to Consider the Totality of the Circumstances in Sexual Harassment Cases (*Zetwick v. County of Yolo* (9th Cir. 2017) 850 F.3d 436):** In a case where a male sheriff hugged a female correction officer over 100 times during a 12-year period, the district court was wrong to grant summary judgment to the sheriff without considering the frequency of the hugs, the cumulative effect of the hugs, the totality of the circumstances, the greater impact of harassment by a supervisor, and evidence that the sheriff hugged and kissed other female employees.

**An Employer can be Liable for Sexual Harassment by a Trespasser (*M.F. v. Pacific Pearl Hotel Management* (Cal.App., Oct. 26, 2017, No. D070150) 2017 WL 4831603):** In this case, an employee of the hotel was raped by a trespasser while the employee was cleaning one of the hotel rooms. The employer argued that it could not be liable under FEHA because it could not have known the trespasser posed a risk to its employees prior to the trespasser coming on the hotel property and harassing them. However, the court held that the employer was liable for the employee’s damages because (1) the employee was raped while working the employer’s premises, (2) the employer knew or should have known the trespasser was on the premises before the rape occurred because the trespasser was encountered by other employees, and (3) the employer knew or should have known that while on the premises the trespasser had aggressively propositioned at least one other employee for sexual favors.

**Employers Cannot Require Employees to Keep Information from Workplace Investigations Confidential (*Banner Health Systems v. NLRB* (D.C. Cir. 2017) 851 F.3d. 35):** The NLRB held in 2015 that employers cannot have a blanket rule banning employees from discussing ongoing workplace investigations of employee misconduct. To require confidentiality, the employer must show, on a case by case basis, that it has an objectively reasonable basis to believe the integrity of the investigation will be compromised without confidentiality. The NLRB identified four objective factors to consider: witnesses needing protection, the danger of evidence being destroyed, the danger of evidence being fabricated, and prevention of a cover-up. The *Banner* case upheld the NLRB 2015 ruling. Therefore, employers need to carefully consider the NLRB’s objective elements on a case by case basis before requiring employees to keep information from a workplace investigation confidential.

**Employers Can Rely on the Findings of Workplace Investigations (*Jameson v. Pacific Gas & Elec. Co.* (2017) 16 Cal.App.5th 901):** An employer’s reliance on a good faith investigation can defeat a wrongful termination claim.

**EMPLOYERS MUST PROVIDE THIS INFORMATION TO NEW WORKERS  
WHEN HIRED AND TO OTHER WORKERS WHO ASK FOR IT**

**RIGHTS OF VICTIMS OF DOMESTIC VIOLENCE,  
SEXUAL ASSAULT AND STALKING**

***Your Right to Take Time Off:***

- You have the right to take time off from work to get help to protect you and your children's health, safety or welfare. You can take time off to get a restraining order or other court order.
- If your company has 25 or more workers, you can take time off from work to get medical attention or services from a domestic violence shelter, program or rape crisis center, psychological counseling, or receive safety planning related to domestic violence, sexual assault, or stalking.
- You may use available vacation, personal leave, accrued paid sick leave or compensatory time off for your leave unless you are covered by a union agreement that says something different. Even if you don't have paid leave, you still have the right to time off.
- In general, you don't have to give your employer proof to use leave for these reasons.
- If you can, you should tell your employer before you take time off. Even if you cannot tell your employer before, your employer cannot discipline you if you give proof explaining the reason for your absence within a reasonable time. Proof can be a police report, court order or doctor's or counselor's note or similar document.

***Your Right to Reasonable Accommodation:***

- You have the right to ask your employer for help or changes in your workplace to make sure you are safe at work. Your employer must work with you to see what changes can be made. Changes in the workplace may include putting in locks, changing your shift or phone number, transferring or reassigning you, or help with keeping a record of what happened to you. Your employer can ask you for a signed statement certifying that your request is for a proper purpose, and may also request proof showing your need for an accommodation. Your employer cannot tell your coworkers or anyone else about your request.

***Your Right to Be Free from Retaliation and Discrimination:***

Your employer cannot treat you differently or fire you because:

- You are a victim of domestic violence, sexual assault, or stalking.
- You asked for leave time to get help.
- You asked your employer for help or changes in the workplace to make sure you are safe at work.

***You can file a complaint with the Labor Commissioner's Office against your employer if he/she retaliates or discriminates against you.***

For more information, contact the California Labor Commissioner's Office. We can help you by phone at 213-897-6595, or you can find a local office on our website: [www.dir.ca.gov/dlse/DistrictOffices.htm](http://www.dir.ca.gov/dlse/DistrictOffices.htm). If you do not speak English, we will provide an interpreter in your language at no cost to you. This Notice explains rights contained in California Labor Code sections 230 and 230.1. Employers may use this Notice or one substantially similar in content and clarity.





# TRANSGENDER RIGHTS IN THE WORKPLACE

## WHAT DOES "TRANSGENDER" MEAN?

Transgender is a term used to describe people whose gender identity differs from the sex they were assigned at birth. Gender expression is defined by the law to mean a "person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth." Gender identity and gender expression are protected characteristics under the Fair Employment and Housing Act. That means that employers, housing providers, and businesses may not discriminate against someone because they identify as transgender or gender non-conforming. This includes the perception that someone is transgender or gender non-conforming.

## WHAT IS A GENDER TRANSITION?

- 1 "Social transition" involves a process of socially aligning one's gender with the internal sense of self (e.g., changes in name and pronoun, bathroom facility usage, participation in activities like sports teams).
- 2 "Physical transition" refers to medical treatments an individual may undergo to physically align their body with internal sense of self (e.g., hormone therapies or surgical procedures).

A person does not need to complete any particular step in a gender transition in order to be protected by the law. An employer may not condition its treatment of a transitioning employee upon completion of a particular step in a gender transition.

## FAQ FOR EMPLOYERS

*What is an employer allowed to ask?* Employers may ask about an employee's employment history, and may ask for personal references, in addition to other non-discriminatory questions. An interviewer should not ask questions designed to detect a person's gender identity, including asking about their marital status, spouse's name, or relation of household members to one another. Employers should not ask questions about a person's body or whether they plan to have surgery.

*How do employers implement dress codes and grooming standards?* An employer who requires a dress code must enforce it in a non-discriminatory manner. This means that, unless an employer can demonstrate business necessity, each

employee must be allowed to dress in accordance with their gender identity and gender expression. Transgender or gender non-conforming employees may not be held to any different standard of dress or grooming than any other employee.

*What are the obligations of employers when it comes to bathrooms, showers, and locker rooms?* All employees have a right to comparable, safe, and adequate restroom and locker room facilities. This includes the right to use a restroom or locker room that corresponds to the employee's gender identity or gender expression, regardless of the employee's assigned sex at birth. In addition, to respect the privacy interests of all employees, employers should provide feasible alternatives, such as locking toilet stalls, staggered schedules for showering, shower curtains, or other feasible methods of ensuring privacy. An employer may not require an employee to use a particular facility. Unless exempted by other provisions of state law, all single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency must be identified as all-gender toilet facilities.

## FILING A COMPLAINT

If you believe you are a victim of discrimination you may, within one year of the discrimination, file a complaint of discrimination by contacting DFEH.

If you have a disability that prevents you from submitting a written intake form online, by mail, or email, DFEH can assist you by scribing your intake by phone or, for individuals who are Deaf or Hard of Hearing or have speech disabilities, through the California Relay Service (711), or call us through your VRS at (800) 884-1684 (voice). DFEH is committed to providing access to our materials in an alternative format as a reasonable accommodation for people with disabilities when requested.

To schedule an appointment or to discuss your preferred format to access our materials or webpages, contact the Communication Center at (800) 884-1684 (voice or via relay operator 711) or (800) 700-2320 (TTY) or by email at [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov).

## FOR MORE INFORMATION

Department of Fair Employment and Housing  
Toll Free: (800) 884-1684 TTY: (800) 700-2320 [dfeh.ca.gov](http://dfeh.ca.gov)







**FOR YOUR BENEFIT**

# **CALIFORNIA'S PROGRAMS FOR THE UNEMPLOYED**

**UNEMPLOYMENT INSURANCE  
DISABILITY INSURANCE  
PAID FAMILY LEAVE  
WORKFORCE SERVICES**

# For Your Benefit: California's Programs for the Unemployed

This publication provides information about programs offered by the Employment Development Department (EDD) for unemployed Californians. This is for general information only and it is not a legal document.

Additional information is available at [www.edd.ca.gov](http://www.edd.ca.gov).

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Disability Insurance (DI) is part of SDI and provides benefits to workers who are unable to work due to a non-work-related illness or injury, pregnancy, or childbirth.	
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## Unemployment Insurance (UI)

UI is paid for by your employer and provides partial income replacement when you are unemployed and meet all eligibility requirements.

### Who Should File a UI Claim

To be eligible for UI benefits, you must be out of work, or partially unemployed, due to no fault of your own, be physically able to work, available, and ready to accept work, and actively looking for work.

### When to File

You may apply for benefits as soon as you are unemployed or your work hours are reduced. Your claim will begin on the Sunday of the week in which you file your claim.

All claims have a one-week, unpaid waiting period. The waiting period does not begin until you file a claim, certify for benefits, and meet all eligibility requirements.

### What You Need to File

To file a claim, you need to provide your:

- Name, (including all names you used while working) and Social Security number.
- Mailing and residence address (if different) and phone number.
- Last employer's complete name, address (mailing and physical location), and phone number.
- Last day worked and the reason you're no longer working (laid off, quit, fired, or left work because of a trade dispute).
- Work history during the 18 months prior to filing your claim, including out-of-state employment. Include all employers' names, dates employed, and wages earned.
- State-issued driver license number or identification card number.
- Citizenship status and if you have the legal right to work in the United States. If you indicate you're registered with the United States Citizenship and Immigration Services (USCIS, formerly INS) and authorized to work in the United States, you'll be asked for the title of your employment authorization document and information from the USCIS document, such as the Alien Registration Number, card number, and/or expiration date.

**Note:** Your last employer's name and address are very important, regardless of how long you worked for the employer(s). If you worked part-time, provide the number of hours you work each week.

**If you served in the military** in the last 18 months, you will need to provide information from your DD214 Member copy 4.

**If you worked for the federal government** during the last 18 months, you will need to provide information from your *Notice to Federal Employees About Unemployment Insurance*, Standard Form 8.

## Warning

Making a false statement or withholding information to receive benefits can be a felony. Penalties may include fines, a loss of benefits, and/or criminal prosecution. See additional information on fraud and penalties on page 18.

## Employer Notification

Your last employer is notified when you file a UI claim. Although your eligibility is determined by the EDD, employers fund the UI program and are required by law to provide any information that may affect your eligibility to receive benefits.

## Types of Claims

The claim you file depends on the type of employer you worked for and the state(s) where you worked.

You will file a:

- Regular California claim if you only worked in California, even if you now live outside of California.
- Federal claim if your employment was in civilian work for the federal government.
- Military claim if you served as a member of the United States Armed Forces.
- Combined wage claim if you earned wages in California and in at least one other state during the last 18 months.
- Interstate claim if you now reside in California and only worked in another state during the last 18 months. File your claim directly with the other state, the District of Columbia, Puerto Rico, or Canada. If you worked in the U.S. Virgin Islands, contact the EDD at 1-800-300-5616.

## How to File

You may file a UI claim using one of the following methods:

- **Online**  
Use eApply4UI at [www.edd.ca.gov/eapply4ui](http://www.edd.ca.gov/eapply4ui). This is the fastest way to file a new claim. It is convenient, secure, and available 24 hours a day, seven days a week.

To reopen an existing claim, access your UI Online account, select **Reopen Your Claim**, and answer all of the questions.



- **Phone**

Speak to an EDD representative Monday through Friday between 8 a.m. and 12 noon (Pacific Time), except on state holidays.

Refer to page 19 for a list of UI phone numbers.

- **Fax or Mail**

When accessing eApply4UI, some customers will be instructed to fax or mail their UI application to the EDD. If this occurs, the *Unemployment Insurance Application* (DE 11011) will display.

For faster and more secure processing, fax the completed form to the number listed on the form. If mailing your UI application, use the address on the form and allow additional time for processing.

## **Beginning Date of Claim**

Your claim begins on the Sunday of the week in which you file your claim.

## **Ending Date of Claim**

Your claim ends on the Saturday, 52 weeks after your claim begins.

If you exhaust your benefits prior to this date, you cannot file another California claim until the benefit year of the claim ends.

If you worked in another state during the last 18 months, you may be eligible to file a new claim in that state.

## **Minimum Earnings to Establish a Valid Claim**

You must have at least \$1,300 in earnings in one quarter of your base period or at least \$900 in earnings in the highest quarter and 1.25 times your highest quarter earnings in your total base period.

For example: If you have \$900 earnings in your highest quarter, you would also be required to have earned a total of \$1,125 in the base period ( $\$900 \times 1.25 = \$1,125$ ).

## **How UI Benefits are Calculated**

The quarter in which you were paid the highest wages during the base period determines your weekly benefit amount (WBA). The WBA ranges from \$40 to \$450 per week.

The maximum benefit amount is 26 times the weekly benefit amount or one-half of the total base period wages, whichever is less.

Refer to the **Unemployment Insurance Benefit Table** on page 16 to estimate your WBA.

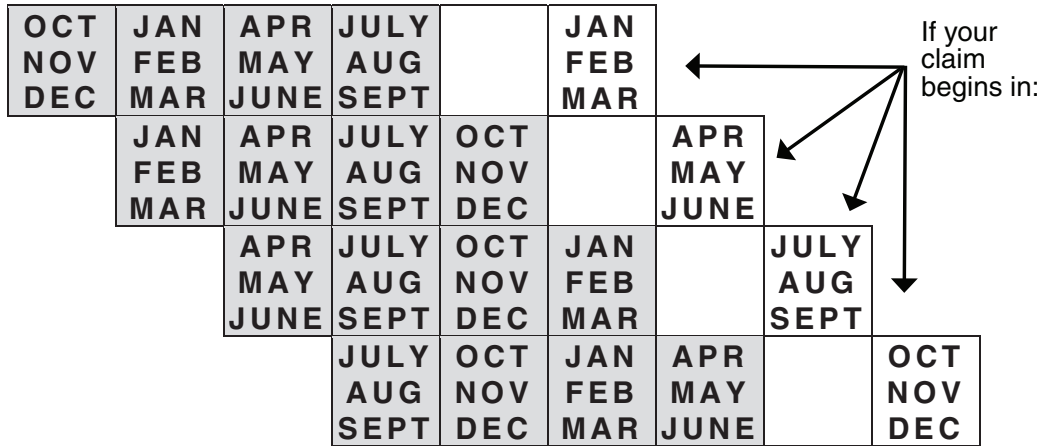
## **Base Period**

There are two types of base periods used to establish a claim: the standard base period and the alternate base period.

## Standard Base Period (SBP)

The SBP is the first four of the last five completed calendar quarters prior to the beginning date of the claim.

Refer to the chart below. The shaded area represents a standard base period. The non-shaded area represents the quarter the claim is filed.



## Alternate Base Period (ABP)

If you do not have sufficient wages in the standard base period, you may qualify to file a claim using the ABP.

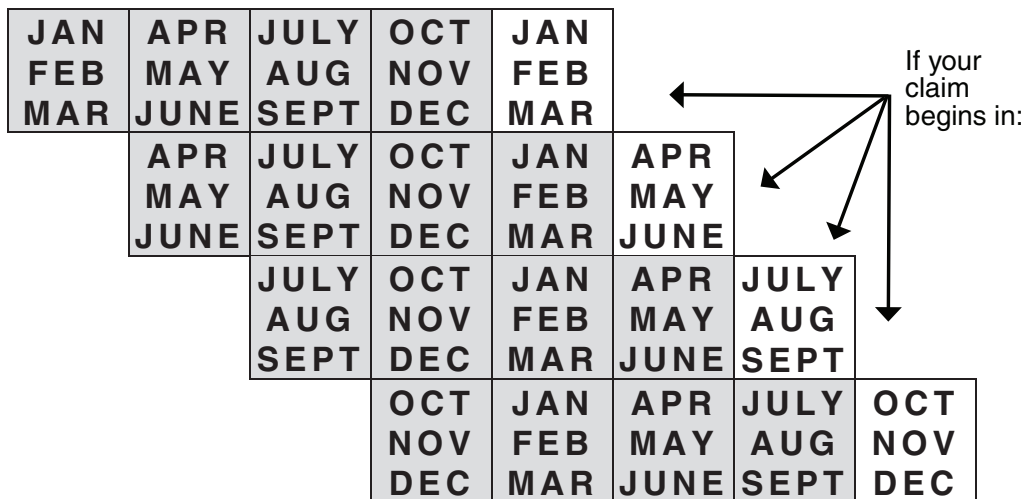
The ABP is the last four completed calendar quarters prior to the beginning date of the claim.

The EDD will automatically file an ABP claim on your behalf if you're not eligible for a SBP claim.

You may be asked to provide additional wage information so the EDD can correctly calculate your benefit amount. If you receive an *Affidavit of Wages* (DE 23A), provide the requested documents and return to the EDD.

**Note:** The ABP can **only** be used when there are not enough wages earned in the standard base period.

Refer to the chart below. The shaded area represents the ABP. The non-shaded area represents the quarter the claim is filed.



## Waiting Period

Unemployment Insurance claims have a mandatory, one week, unpaid waiting period. This waiting period generally takes effect on the first eligible week of a claim and prior to benefits being paid. Do not wait to file your claim because the waiting period cannot be served until a claim has been filed.

## How to Certify for Benefits

To serve your waiting period and receive benefit payments, you must meet all eligibility requirements and certify for benefits every two weeks.

There are three ways to certify for benefits:

- **UI Online<sup>SM</sup>: [www.edd.ca.gov/UI\\_Online](http://www.edd.ca.gov/UI_Online)**

This is the fastest way to certify for benefits and report work and wages. To use UI Online, you must create a secure login through Benefit Programs Online **and** complete a one-time registration for UI Online.

For added convenience, UI Online Mobile<sup>SM</sup> is available from mobile devices.

- **EDD Tele-Cert<sup>SM</sup>: 1-866-333-4606**

Certify over the phone by calling 1-866-333-4606. Select option 2 and follow all instructions. To access EDD Tele-Cert you must create a PIN.

- **Mail: *Continued Claim form* (DE 4581)**

Complete, sign, and mail the form to the EDD.

**Note:** For faster processing, certify through UI Online or EDD Tele-Cert.

## Payments

Payments are issued after you certify for benefits and continue to meet all eligibility requirements for every week you claim benefits.

## EDD Debit Card<sup>SM</sup>

After your first payment is authorized, Bank of America will mail you an EDD Debit Card. The card is valid for three years and used for all Disability Insurance (DI), Paid Family Leave (PFL), and Unemployment Insurance (UI) benefits.

If you have an EDD Debit Card from a previous DI, PFL, or UI claim that is still valid, you will not be mailed a new card until the card has expired.

For more information, visit [www.bankofamerica.com/eddcard](http://www.bankofamerica.com/eddcard).

## Tax Requirements

UI benefits are subject to federal income tax, but exempt from California state income tax. Each time you certify for benefits, you can choose to withhold the 10 percent federal income tax from your weekly benefit payment. Otherwise, you will be required to pay the tax at the end of the year, when you file your tax return.

Each January, the EDD mails a Form 1099G to individuals who received UI benefits during the previous calendar year. Use the form to report important tax information on your federal tax return. You can access Form 1099G information for up to the past five years and/or request duplicate copies through UI Online or by calling 1-866-401-2849.

## **Child Support Obligations**

Your UI benefits may be reduced if you're required to pay child support payments to a court, District Attorney's office, or other child support enforcement agency.

## **Report Earnings**

You are required to report **all** work, wages, and other income to the EDD during the week they were earned, not when you receive your pay. Failure to properly report your earnings can result in overpayments and penalties.

Types of income to report:

- Piece work
- Idle time pay
- Jury fees
- Commissions
- Witness fees
- Reuse pay
- Holiday pay
- Holding fees
- Residuals
- Award
- Workers' Compensation pension, retirement, annuity
- Vacation pay
- In-lieu-of-notice pay
- Bonuses
- Tips
- Self-employment income
- Strike benefits/picket pay
- Standby pay
- Bereavement
- Back-pay
- Paid sick leave

**Note:** You must report board, lodging, meals, or any other payment you receive instead of money when you work. If you are unsure about how to report wages, contact the EDD.

## **Pension or Retirement Pay**

UI benefits may be reduced if you are receiving a pension, retirement pay, annuity, or other similar payment based on your previous work.

Social Security benefits are not deductible and do not need to be reported to the EDD.

## **Part-Time Work**

If you work less than full-time, you may still be eligible for partial UI benefits. The first \$25 or 25 percent of your gross total earnings for the week (whichever is greater) will not be counted toward your benefit amount. The amount remaining will be deducted from your weekly benefit amount.



Example 1:

Your weekly benefit amount is \$50. You earn \$30. You must report the \$30; however, the first \$25 is not counted, leaving \$5 to deduct from your weekly benefit amount. You would receive \$45 (\$50 minus \$5) in UI benefits.

Example 2:

Your weekly benefit amount is \$400. You earn \$200. You must report \$200; however, the first 25 percent (\$50) is not counted, leaving \$150 to deduct from your weekly benefit amount. You would receive \$250 (\$400 minus \$150) in UI benefits.

## How Your Eligibility is Determined

To be eligible, you must be:

- Out of work due to no fault of your own.
- Physically able to work.
- Ready to accept work.
- Actively looking for work.

If you were laid off, you're considered to be out of work through no fault of your own.

If you quit your last job, were fired, or unemployed due to a strike or lockout, the EDD will schedule a phone interview with you to collect information on the reason you're no longer working. Your UI benefits cannot be paid until your phone interview is complete, you certify for benefits, and the EDD determines your eligibility.

You have the right to request more time to gather information, contact witnesses, or obtain the advice of a representative. If the eligibility issue involves an employer, the EDD may contact the employer.

If you are sent a written request for more information and you respond by mail, the EDD interviewer will use the information provided to determine your eligibility.

If you're denied benefits for any reason throughout your claim, including insufficient wages to establish a claim, a written *Notice of Determination* (DE 1080CZ) will be mailed to you explaining the reason along with your appeal rights.

**Important:** Your benefits can be delayed or denied if you're not available for the interview or do not submit the required information. The EDD will make a decision of eligibility based on the information available.

## Appeals Process

If you're denied UI benefits, you have the legal right to appeal the decision by completing and mailing the *Appeal Form* (DE 1000M). To be considered timely, it must be mailed within 30 calendar days from the mailing date of the *Notice of Determination* (DE 1080CZ). If you miss the 30-day deadline, you may still appeal, but you must show good cause for the delay.

Your appeal will be heard by an independent administrative law judge. Hearings are informal, but all testimony is taken under oath and is subject to cross-examination. The office of appeal will notify you of when and where the hearing will be held.

Before the hearing, you have the right to review all records affecting your appeal. Those records are provided by California Unemployment Insurance Appeals Board (CUIAB). You can request records from the EDD to prepare for your hearing.

At the hearing, you may be represented by yourself, a union official, an attorney, or anyone else you select. You may bring any relevant documentation you may have to support your case.

After the hearing, you are mailed the administrative law judge's decision. If you're not satisfied, you may submit a second level appeal to the CUIAB.

For information on how the UI code is applied, including current case studies, see the Benefit Determination Guide. A copy is available at [www.edd.ca.gov/uibdg](http://www.edd.ca.gov/uibdg).

**Important:** You're required to continue to certify for benefits while your claim is under appeal. If the original decision is reversed, the EDD can quickly issue all back payments to you. **Failure to comply could result in your benefits being denied or delayed.**

## Cancelling a Claim

You may cancel a claim if you meet **all** of the following criteria:

- No benefits have been paid.
- You're not disqualified for benefits due to an eligibility issue.
- An overpayment has not been established on the claim.
- You notify the EDD before the 52-week benefit year ends.

Once a claim is canceled, it cannot be re-established with the same beginning date. You must file a new claim, which will have a later beginning date.

## **Workers Not Covered by Unemployment Insurance**

The following groups of workers are not normally covered:

- Elected officials.
- Self-employed, unless participating in elective coverage.
- Students enrolled and regularly attending classes at the school or education institution where employed.
- Members of a Limited Liability Company (LLC) that are treated as a partnership for federal income tax reporting purposes.
- A student's spouse who is working for an educational institution in an employment program provided for the purpose of financially aiding the student.
- Parents employed by their children.
- Husbands and wives employed by each other.
- Certain state-licensed salespersons paid only by commissions.
- Caddies and jockeys.

If you do not know whether you are covered, do not waive your rights. Contact the EDD for more information.

## **Elective Coverage**

Under certain conditions, employers of the individuals whose services are not covered may elect to cover those services. If you're not sure whether you're eligible for these benefits, contact the EDD.

## **Request a Claim Print Out**

You may request a print out of your claim through one of the following methods:

- UI Online at [www.edd.ca.gov/UI\\_Online](http://www.edd.ca.gov/UI_Online) (account required).
- Ask EDD at [www.edd.ca.gov](http://www.edd.ca.gov).
- Call the EDD at 1-800-300-5616.

## **Special Programs**

### **California Training Benefits (CTB)**

If you're attending school or training while receiving UI benefits, you may qualify for the CTB program.

If eligible, you can further your education, upgrade your skills, and/or learn a new trade while attending an EDD-approved training or school program to be more competitive in today's labor market.

While in school or training, you'll be exempt from the requirements to be available for work, actively seek work, and accept work. You may also be eligible for additional weeks of benefits. Learn more at [www.edd.ca.gov/unemployment/California\\_Training\\_Benefits.htm](http://www.edd.ca.gov/unemployment/California_Training_Benefits.htm).

**Note:** The EDD does **not** cover any educational or training-related expenses such as tuition, fees, books, supplies, or transportation. However, there are state, federal, or employer programs that may fund your school or training.

### **Training Extension (TE)**

A TE provides additional benefits to individuals who have been approved for California Training Benefits (CTB), while completing school or training. Only one TE is allowed for each CTB-approved training period.

If interested, you must contact the EDD to inquire about a TE before receiving the 16th week of benefits. For claims that have less than 16 weeks of benefits, you **must** contact the EDD before the claim reaches a zero balance.

### **Workforce Innovation and Opportunity Act (WIOA)**

The WIOA is a federally funded program that provides a range of employment services, education, training, and support services to help job seekers and workers. In California, WIOA services are provided through America's Job Center of California<sup>SM</sup> (AJCC) locations. AJCC locations throughout the state provide in person assistance for no cost. To find an office near you, visit [www.americasjobcenter.ca.gov](http://www.americasjobcenter.ca.gov) or call 1-877-872-5627.

### **Disaster Unemployment Assistance (DUA)**

The federal DUA program provides financial assistance to individuals whose employment or self-employment has been lost or interrupted as a direct result of a major disaster and who are **not** eligible for regular UI benefits. These benefits are available only when the President of the United States declares a major disaster.

If DUA benefits are available, information will be posted on the EDD website at [www.edd.ca.gov](http://www.edd.ca.gov).

### **Trade Adjustment Assistance (TAA)/Re-employment Trade Adjustment Assistance (RTAA)**

The TAA program is a federally funded program that provides training and training-related benefits and services to workers who are certified by the U.S. Department of Labor as having lost their jobs, or had their hours and wages reduced, as a result of increased imports from, or a shift in production to, a foreign country.

The RTAA program provides wage subsidies to individuals age 50 or older who return to work paying less than their former trade impacted employment.



## Extended Benefits

Extended benefits are available to workers who have exhausted regular unemployment insurance benefits when the unemployment rate equals or exceeds a certain percentage established by state and/or federal law or when the federal government approves special extended benefit legislation.

## Railroad Unemployment Benefits

Railroad workers may claim benefits under the U.S. Railroad Unemployment Insurance Act. This program is administered by the U.S. Railroad Retirement Board (RRB).

To file a claim, call the toll-free number at 1-877-772-5772 between 9 a.m. and 3:30 p.m., Monday through Friday to speak to an RRB representative or file online at [www.rrb.gov](http://www.rrb.gov).

## Unemployment Insurance Fraud Prevention and Detection

The Employment Development Department (EDD) takes the security of personal and confidential information very seriously. Therefore, all data submitted us is encrypted. Additional safeguards are built in to further protect your personal information from imposter fraud and identity theft.

Imposter fraud occurs when someone intentionally files an UI claim using another person's employment or personal information. The EDD actively investigates cases of imposter fraud and is committed to protecting the identities of legitimate claimants.

If we suspect that there may be identity or imposter issues, you'll receive a written request to validate the information provided to us. We'll also contact your former employer(s) and governmental entities to verify the documents and any information you supply.

For more information, download the *Protect Your Identity and Stop Unemployment Insurance Imposter Fraud* (DE 2360EE), brochure from the EDD website at [www.edd.ca.gov/pdf\\_pub\\_ctr/de2360ee.pdf](http://www.edd.ca.gov/pdf_pub_ctr/de2360ee.pdf).

To report UI fraud, visit <https://askedd.edd.ca.gov> and select **Report Fraud** to submit a Fraud Reporting Form online or call the EDD toll-free fraud hotline at 1-800-229-6297.

## Penalties

Making a false statement or withholding information to receive benefits can be a felony. Penalties may include a loss of benefits, a false statement disqualification, and/or criminal prosecution.

A false statement disqualification denies benefits from 2 to 23 weeks. The disqualification stays on your record for three years or until served, whichever comes first. To serve false statement weeks, you must continue to certify for UI benefits, and meet all other eligibility requirements. You will not be paid during this time.

## **Benefit Audits**

The EDD conducts audits by cross-referencing employer information with unemployment (UI) claim information. This allows us to determine if a claimant received benefits after returning to work. Overpayments and penalties collected from these audits ensure the solvency of the UI Trust Fund and help reduce UI taxes.

## **Social Security Number Verification**

The EDD may require you to verify your Social Security number (SSN) as issued to you by the Social Security Administration (SSA).

Your eligibility for benefits may be affected if:

- The SSN provided is under a different name or belongs to another individual.
- The SSN is not valid.
- The SSN was never issued by the SSA.
- The wages in the base period belong to another individual.
- The date of birth at the SSA is different than the date of birth you gave when you filed your claim.

If the EDD requires you to verify your SSN, you may be asked to submit a complete copy of your Social Security Statement. To obtain a copy of your complete Social Security Statement access the SSA website at [www.ssa.gov](http://www.ssa.gov).

A copy of your Social Security card will not satisfy this requirement.

## **State Disability Insurance (SDI)**

SDI is comprised of Disability Insurance and Paid Family Leave. Most workers covered by California UI are also covered by SDI. The program is funded entirely by workers through a payroll tax withheld from their earnings.

### **Exceptions:**

- Employees of local public entities (except workers in district hospitals) are not covered by SDI unless the employer elects such coverage.
- Employees of the state or state-funded institutions of higher education may, through their collective bargaining units, elect to be covered by SDI.
- Self-employed individuals may elect to be covered by SDI.

## **Disability Insurance (DI)**

DI provides short-time, partial wage replacement benefits to workers who are unable to work due to a non-work-related illness or injury, pregnancy, or childbirth.

Your DI claim must be submitted within 49 days from the first day your disability begins. If you miss this deadline, you may lose benefits for the number of days that the claim is late unless you demonstrate good cause for the delay. For faster processing, file your claim using SDI Online.

The first seven days of a DI claim is a non-payable waiting period. Benefits begin with the eighth day of disability. DI is payable for a maximum of 52 weeks.

**Exception:** If a claim is filed for the same or related cause or condition within 60 days of the initial claim, there will be no new waiting period.

To file a claim or learn more, visit [www.edd.ca.gov/disability](http://www.edd.ca.gov/disability). EDD staff are available from Monday through Friday between 8 a.m. and 5 p.m. (Pacific Time), except on state holidays.

Refer to page 19 for a list of DI phone numbers.

## **Paid Family Leave (PFL)**

PFL provides partial wage replacement benefits to individuals who need to take time off work to care for a seriously ill child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner. Benefits are also available to parents who need time to bond with a new child entering their family either by birth, adoption, or foster care placement. Unlike DI, there is no waiting period.

To file, or learn more visit  
[www.edd.ca.gov/Disability/Paid\\_Family\\_Leave.htm](http://www.edd.ca.gov/Disability/Paid_Family_Leave.htm).

EDD staff are available from Monday through Friday between 8 a.m. and 5 p.m. (Pacific Time), except on state holidays.

Refer to page 19 for a list of PFL phone numbers.

## **Workforce Services**

The EDD partners with the America's Job Center of California<sup>SM</sup> (AJCC) network and provides no-cost employment services for job seekers and employers throughout California.

Workshops are offered on topics including job search, training, résumé writing, and interview techniques. Employers can use our many services to help recruit qualified candidates for open positions, train current employees, and organize job fairs and workshops.

## **CalJOBS<sup>SM</sup>**

Job seekers can use CalJOBS to:

- Search for jobs 24 hours a day, 7 days a week. The CalJOBS mobile app is available for download on iTunes and Google Play.
- Create a résumé or upload multiple résumés.
- Explore vocational training, workshops, and other events within their local area.

**Note:** Registering for a CalJOBS account and posting a résumé is an eligibility requirement for many UI claimants. To register, visit [www.caljobs.ca.gov](http://www.caljobs.ca.gov).

### **Experience Unlimited Program**

Professionals from a wide variety of fields can take advantage of EDD-sponsored job clubs. Experience Unlimited provides a place where job seekers can meet with other career professionals to share job leads, provide support, and update their job search skills at no cost. Resources include workshops, résumé evaluations, mock interviews, networking opportunities, and more.

### **Migrant and Seasonal Farmworkers Program**

Assistance is available to farmworkers and food processing workers who may be unfamiliar with the services available through the AJCC network or who have language barriers that might lessen the effectiveness of their job search.

### **Veterans Services Program**

This program assists eligible veterans achieve their employment goals. Services may include an individual employment plan, objective assessment, career counseling, labor market information, job referrals, job search workshops, and job development with potential employers.

### **Youth Employment Opportunity Program**

This special service helps youth, ages 15 through 25, achieve their educational and vocational goals. Services include peer advising, referrals to supportive services, workshops, job referrals and placement assistance, and referrals to training and community outreach efforts.

For more information on the programs and services listed above, visit [www.edd.ca.gov/Jobs\\_and\\_Training](http://www.edd.ca.gov/Jobs_and_Training) or your nearest AJCC which can be located at [www.americasjobcenter.ca.gov](http://www.americasjobcenter.ca.gov).



**Unemployment Insurance Benefit Table**  
**For New Claims with a Beginning Date of January 2, 2005 or After**

Amount of Wages in Highest Quarter	Weekly Benefit Amount	Amount of Wages in Highest Quarter	Weekly Benefit Amount	Amount of Wages in Highest Quarter	Weekly Benefit Amount
\$ 900.00 – 948.99 ... \$ 40		\$ 2,210.01 – 2,236.00 ..... \$86		\$ 3,406.01 – 3,432.00 ... \$132	
949.00 – 974.99 ..... 41		2,236.01 – 2,262.00 ..... 87		3,432.01 – 3,458.00 ..... 133	
975.00 – 1,000.99 ..... 42		2,262.01 – 2,288.00 ..... 88		3,458.01 – 3,484.00 ..... 134	
1,001.00 – 1,026.99 ..... 43		2,288.01 – 2,314.00 ..... 89		3,484.01 – 3,510.00 ..... 135	
1,027.00 – 1,052.99 ..... 44		2,314.01 – 2,340.00 ..... 90		3,510.01 – 3,536.00 ..... 136	
1,053.00 – 1,078.99 ..... 45		2,340.01 – 2,366.00 ..... 91		3,536.01 – 3,562.00 ..... 137	
1,079.00 – 1,117.99 ..... 46		2,366.01 – 2,392.00 ..... 92		3,562.01 – 3,588.00 ..... 138	
1,118.00 – 1,143.99 ..... 47		2,392.01 – 2,418.00 ..... 93		3,588.01 – 3,614.00 ..... 139	
1,144.00 – 1,169.99 ..... 48		2,418.01 – 2,444.00 ..... 94		3,614.01 – 3,640.00 ..... 140	
1,170.00 – 1,195.99 ..... 49		2,444.01 – 2,470.00 ..... 95		3,640.01 – 3,666.00 ..... 141	
1,196.00 – 1,221.99 ..... 50		2,470.01 – 2,496.00 ..... 96		3,666.01 – 3,692.00 ..... 142	
1,222.00 – 1,247.99 ..... 51		2,496.01 – 2,522.00 ..... 97		3,692.01 – 3,718.00 ..... 143	
1,248.00 – 1,286.99 ..... 52		2,522.01 – 2,548.00 ..... 98		3,718.01 – 3,744.00 ..... 144	
1,287.00 – 1,312.99 ..... 53		2,548.01 – 2,574.00 ..... 99		3,744.01 – 3,770.00 ..... 145	
1,313.00 – 1,338.99 ..... 54		2,574.01 – 2,600.00 ..... 100		3,770.01 – 3,796.00 ..... 146	
1,339.00 – 1,364.99 ..... 55		2,600.01 – 2,626.00 ..... 101		3,796.01 – 3,822.00 ..... 147	
1,365.00 – 1,403.99 ..... 56		2,626.01 – 2,652.00 ..... 102		3,822.01 – 3,848.00 ..... 148	
1,404.00 – 1,429.99 ..... 57		2,652.01 – 2,678.00 ..... 103		3,848.01 – 3,874.00 ..... 149	
1,430.00 – 1,455.99 ..... 58		2,678.01 – 2,704.00 ..... 104		3,874.01 – 3,900.00 ..... 150	
1,456.00 – 1,494.99 ..... 59		2,704.01 – 2,730.00 ..... 105		3,900.01 – 3,926.00 ..... 151	
1,495.00 – 1,520.99 ..... 60		2,730.01 – 2,756.00 ..... 106		3,926.01 – 3,952.00 ..... 152	
1,521.00 – 1,546.99 ..... 61		2,756.01 – 2,782.00 ..... 107		3,952.01 – 3,978.00 ..... 153	
1,547.00 – 1,585.99 ..... 62		2,782.01 – 2,808.00 ..... 108		3,978.01 – 4,004.00 ..... 154	
1,586.00 – 1,611.99 ..... 63		2,808.01 – 2,834.00 ..... 109		4,004.01 – 4,030.00 ..... 155	
1,612.00 – 1,637.99 ..... 64		2,834.01 – 2,860.00 ..... 110		4,030.01 – 4,056.00 ..... 156	
1,638.00 – 1,676.99 ..... 65		2,860.01 – 2,886.00 ..... 111		4,056.01 – 4,082.00 ..... 157	
1,677.00 – 1,702.99 ..... 66		2,886.01 – 2,912.00 ..... 112		4,082.01 – 4,108.00 ..... 158	
1,703.00 – 1,741.99 ..... 67		2,912.01 – 2,938.00 ..... 113		4,108.01 – 4,134.00 ..... 159	
1,742.00 – 1,767.99 ..... 68		2,938.01 – 2,964.00 ..... 114		4,134.01 – 4,160.00 ..... 160	
1,768.00 – 1,806.99 ..... 69		2,964.01 – 2,990.00 ..... 115		4,160.01 – 4,186.00 ..... 161	
1,807.00 – 1,832.99 ..... 70		2,990.01 – 3,016.00 ..... 116		4,186.01 – 4,212.00 ..... 162	
1,833.00 – 1,846.00 ..... 71		3,016.01 – 3,042.00 ..... 117		4,212.01 – 4,238.00 ..... 163	
1,846.01 – 1,872.00 ..... 72		3,042.01 – 3,068.00 ..... 118		4,238.01 – 4,264.00 ..... 164	
1,872.01 – 1,898.00 ..... 73		3,068.01 – 3,094.00 ..... 119		4,264.01 – 4,290.00 ..... 165	
1,898.01 – 1,924.00 ..... 74		3,094.01 – 3,120.00 ..... 120		4,290.01 – 4,316.00 ..... 166	
1,924.01 – 1,950.00 ..... 75		3,120.01 – 3,146.00 ..... 121		4,316.01 – 4,342.00 ..... 167	
1,950.01 – 1,976.00 ..... 76		3,146.01 – 3,172.00 ..... 122		4,342.01 – 4,368.00 ..... 168	
1,976.01 – 2,002.00 ..... 77		3,172.01 – 3,198.00 ..... 123		4,368.01 – 4,394.00 ..... 169	
2,002.01 – 2,028.00 ..... 78		3,198.01 – 3,224.00 ..... 124		4,394.01 – 4,420.00 ..... 170	
2,028.01 – 2,054.00 ..... 79		3,224.01 – 3,250.00 ..... 125		4,420.01 – 4,446.00 ..... 171	
2,054.01 – 2,080.00 ..... 80		3,250.01 – 3,276.00 ..... 126		4,446.01 – 4,472.00 ..... 172	
2,080.01 – 2,106.00 ..... 81		3,276.01 – 3,302.00 ..... 127		4,472.01 – 4,498.00 ..... 173	
2,106.01 – 2,132.00 ..... 82		3,302.01 – 3,328.00 ..... 128		4,498.01 – 4,524.00 ..... 174	
2,132.01 – 2,158.00 ..... 83		3,328.01 – 3,354.00 ..... 129		4,524.01 – 4,550.00 ..... 175	
2,158.01 – 2,184.00 ..... 84		3,354.01 – 3,380.00 ..... 130		4,550.01 – 4,576.00 ..... 176	
2,184.01 – 2,210.00 ..... 85		3,380.01 – 3,406.00 ..... 131		4,576.01 – 4,602.00 ..... 177	

**Unemployment Insurance Benefit Table**  
**For New Claims with a Beginning Date of January 2, 2005 or After**

Amount of Wages in Highest Quarter	Weekly Benefit Amount	Amount of Wages in Highest Quarter	Weekly Benefit Amount	Amount of Wages in Highest Quarter	Weekly Benefit Amount
\$ 4,602.01 – 4,628.00 ...	\$178	\$ 5,798.01 – 5,824.00 ...	\$224	\$ 6,994.01 – 7,020.00 ...	\$270
4,628.01 – 4,654.00 .....	179	5,824.01 – 5,850.00 .....	225	7,020.01 – 7,046.00 .....	271
4,654.01 – 4,680.00 .....	180	5,850.01 – 5,876.00 .....	226	7,046.01 – 7,072.00 .....	272
4,680.01 – 4,706.00 .....	181	5,876.01 – 5,902.00 .....	227	7,072.01 – 7,098.00 .....	273
4,706.01 – 4,732.00 .....	182	5,902.01 – 5,928.00 .....	228	7,098.01 – 7,124.00 .....	274
4,732.01 – 4,758.00 .....	183	5,928.01 – 5,954.00 .....	229	7,124.01 – 7,150.00 .....	275
4,758.01 – 4,784.00 .....	184	5,954.01 – 5,980.00 .....	230	7,150.01 – 7,176.00 .....	276
4,784.01 – 4,810.00 .....	185	5,980.01 – 6,006.00 .....	231	7,176.01 – 7,202.00 .....	277
4,810.01 – 4,836.00 .....	186	6,006.01 – 6,032.00 .....	232	7,202.01 – 7,228.00 .....	278
4,836.01 – 4,862.00 .....	187	6,032.01 – 6,058.00 .....	233	7,228.01 – 7,254.00 .....	279
4,862.01 – 4,888.00 .....	188	6,058.01 – 6,084.00 .....	234	7,254.01 – 7,280.00 .....	280
4,888.01 – 4,914.00 .....	189	6,084.01 – 6,110.00 .....	235	7,280.01 – 7,306.00 .....	281
4,914.01 – 4,940.00 .....	190	6,110.01 – 6,136.00 .....	236	7,306.01 – 7,332.00 .....	282
4,940.01 – 4,966.00 .....	191	6,136.01 – 6,162.00 .....	237	7,332.01 – 7,358.00 .....	283
4,966.01 – 4,992.00 .....	192	6,162.01 – 6,188.00 .....	238	7,358.01 – 7,384.00 .....	284
4,992.01 – 5,018.00 .....	193	6,188.01 – 6,214.00 .....	239	7,384.01 – 7,410.00 .....	285
5,018.01 – 5,044.00 .....	194	6,214.01 – 6,240.00 .....	240	7,410.01 – 7,436.00 .....	286
5,044.01 – 5,070.00 .....	195	6,240.01 – 6,266.00 .....	241	7,436.01 – 7,462.00 .....	287
5,070.01 – 5,096.00 .....	196	6,266.01 – 6,292.00 .....	242	7,462.01 – 7,488.00 .....	288
5,096.01 – 5,122.00 .....	197	6,292.01 – 6,318.00 .....	243	7,488.01 – 7,514.00 .....	289
5,122.01 – 5,148.00 .....	198	6,318.01 – 6,344.00 .....	244	7,514.01 – 7,540.00 .....	290
5,148.01 – 5,174.00 .....	199	6,344.01 – 6,370.00 .....	245	7,540.01 – 7,566.00 .....	291
5,174.01 – 5,200.00 .....	200	6,370.01 – 6,396.00 .....	246	7,566.01 – 7,592.00 .....	292
5,200.01 – 5,226.00 .....	201	6,396.01 – 6,422.00 .....	247	7,592.01 – 7,618.00 .....	293
5,226.01 – 5,252.00 .....	202	6,422.01 – 6,448.00 .....	248	7,618.01 – 7,644.00 .....	294
5,252.01 – 5,278.00 .....	203	6,448.01 – 6,474.00 .....	249	7,644.01 – 7,670.00 .....	295
5,278.01 – 5,304.00 .....	204	6,474.01 – 6,500.00 .....	250	7,670.01 – 7,696.00 .....	296
5,304.01 – 5,330.00 .....	205	6,500.01 – 6,526.00 .....	251	7,696.01 – 7,722.00 .....	297
5,330.01 – 5,356.00 .....	206	6,526.01 – 6,552.00 .....	252	7,722.01 – 7,748.00 .....	298
5,356.01 – 5,382.00 .....	207	6,552.01 – 6,578.00 .....	253	7,748.01 – 7,774.00 .....	299
5,382.01 – 5,408.00 .....	208	6,578.01 – 6,604.00 .....	254	7,774.01 – 7,800.00 .....	300
5,408.01 – 5,434.00 .....	209	6,604.01 – 6,630.00 .....	255	7,800.01 – 7,826.00 .....	301
5,434.01 – 5,460.00 .....	210	6,630.01 – 6,656.00 .....	256	7,826.01 – 7,852.00 .....	302
5,460.01 – 5,486.00 .....	211	6,656.01 – 6,682.00 .....	257	7,852.01 – 7,878.00 .....	303
5,486.01 – 5,512.00 .....	212	6,682.01 – 6,708.00 .....	258	7,878.01 – 7,904.00 .....	304
5,512.01 – 5,538.00 .....	213	6,708.01 – 6,734.00 .....	259	7,904.01 – 7,930.00 .....	305
5,538.01 – 5,564.00 .....	214	6,734.01 – 6,760.00 .....	260	7,930.01 – 7,956.00 .....	306
5,564.01 – 5,590.00 .....	215	6,760.01 – 6,786.00 .....	261	7,956.01 – 7,982.00 .....	307
5,590.01 – 5,616.00 .....	216	6,786.01 – 6,812.00 .....	262	7,982.01 – 8,008.00 .....	308
5,616.01 – 5,642.00 .....	217	6,812.01 – 6,838.00 .....	263	8,008.01 – 8,034.00 .....	309
5,642.01 – 5,668.00 .....	218	6,838.01 – 6,864.00 .....	264	8,034.01 – 8,060.00 .....	310
5,668.01 – 5,694.00 .....	219	6,864.01 – 6,890.00 .....	265	8,060.01 – 8,086.00 .....	311
5,694.01 – 5,720.00 .....	220	6,890.01 – 6,916.00 .....	266	8,086.01 – 8,112.00 .....	312
5,720.01 – 5,746.00 .....	221	6,916.01 – 6,942.00 .....	267	8,112.01 – 8,138.00 .....	313
5,746.01 – 5,772.00 .....	222	6,942.01 – 6,968.00 .....	268	8,138.01 – 8,164.00 .....	314
5,772.01 – 5,798.00 .....	223	6,968.01 – 6,994.00 .....	269	8,164.01 – 8,190.00 .....	315

**Unemployment Insurance Benefit Table**  
**For New Claims with a Beginning Date of January 2, 2005 or After**

Amount of Wages in Highest Quarter	Weekly Benefit Amount	Amount of Wages in Highest Quarter	Weekly Benefit Amount	Amount of Wages in Highest Quarter	Weekly Benefit Amount
\$ 8,190.01 – 8,216.00 ...	\$316	\$ 9,386.01 – 9,412.00 ...	\$362	\$10,582.01 – 10,608.00 ...	\$408
8,216.01 – 8,242.00 .....	317	9,412.01 – 9,438.00 .....	363	10,608.01 – 10,634.00 .....	409
8,242.01 – 8,268.00 .....	318	9,438.01 – 9,464.00 .....	364	10,634.01 – 10,660.00 .....	410
8,268.01 – 8,294.00 .....	319	9,464.01 – 9,490.00 .....	365	10,660.01 – 10,686.00 .....	411
8,294.01 – 8,320.00 .....	320	9,490.01 – 9,516.00 .....	366	10,686.01 – 10,712.00 .....	412
8,320.01 – 8,346.00 .....	321	9,516.01 – 9,542.00 .....	367	10,712.01 – 10,738.00 .....	413
8,346.01 – 8,372.00 .....	322	9,542.01 – 9,568.00 .....	368	10,738.01 – 10,764.00 .....	414
8,372.01 – 8,398.00 .....	323	9,568.01 – 9,594.00 .....	369	10,764.01 – 10,790.00 .....	415
8,398.01 – 8,424.00 .....	324	9,594.01 – 9,620.00 .....	370	10,790.01 – 10,816.00 .....	416
8,424.01 – 8,450.00 .....	325	9,620.01 – 9,646.00 .....	371	10,816.01 – 10,842.00 .....	417
8,450.01 – 8,476.00 .....	326	9,646.01 – 9,672.00 .....	372	10,842.01 – 10,868.00 .....	418
8,476.01 – 8,502.00 .....	327	9,672.01 – 9,698.00 .....	373	10,868.01 – 10,894.00 .....	419
8,502.01 – 8,528.00 .....	328	9,698.01 – 9,724.00 .....	374	10,894.01 – 10,920.00 .....	420
8,528.01 – 8,554.00 .....	329	9,724.01 – 9,750.00 .....	375	10,920.01 – 10,946.00 .....	421
8,554.01 – 8,580.00 .....	330	9,750.01 – 9,776.00 .....	376	10,946.01 – 10,972.00 .....	422
8,580.01 – 8,606.00 .....	331	9,776.01 – 9,802.00 .....	377	10,972.01 – 10,998.00 .....	423
8,606.01 – 8,632.00 .....	332	9,802.01 – 9,828.00 .....	378	10,998.01 – 11,024.00 .....	424
8,632.01 – 8,658.00 .....	333	9,828.01 – 9,854.00 .....	379	11,024.01 – 11,050.00 .....	425
8,658.01 – 8,684.00 .....	334	9,854.01 – 9,880.00 .....	380	11,050.01 – 11,076.00 .....	426
8,684.01 – 8,710.00 .....	335	9,880.01 – 9,906.00 .....	381	11,076.01 – 11,102.00 .....	427
8,710.01 – 8,736.00 .....	336	9,906.01 – 9,932.00 .....	382	11,102.01 – 11,128.00 .....	428
8,736.01 – 8,762.00 .....	337	9,932.01 – 9,958.00 .....	383	11,128.01 – 11,154.00 .....	429
8,762.01 – 8,788.00 .....	338	9,958.01 – 9,984.00 .....	384	11,154.01 – 11,180.00 .....	430
8,788.01 – 8,814.00 .....	339	9,984.01 – 10,010.00 .....	385	11,180.01 – 11,206.00 .....	431
8,814.01 – 8,840.00 .....	340	10,010.01 – 10,036.00 .....	386	11,206.01 – 11,232.00 .....	432
8,840.01 – 8,866.00 .....	341	10,036.01 – 10,062.00 .....	387	11,232.01 – 11,258.00 .....	433
8,866.01 – 8,892.00 .....	342	10,062.01 – 10,088.00 .....	388	11,258.01 – 11,284.00 .....	434
8,892.01 – 8,918.00 .....	343	10,088.01 – 10,114.00 .....	389	11,284.01 – 11,310.00 .....	435
8,918.01 – 8,944.00 .....	344	10,114.01 – 10,140.00 .....	390	11,310.01 – 11,336.00 .....	436
8,944.01 – 8,970.00 .....	345	10,140.01 – 10,166.00 .....	391	11,336.01 – 11,362.00 .....	437
8,970.01 – 8,996.00 .....	346	10,166.01 – 10,192.00 .....	392	11,362.01 – 11,388.00 .....	438
8,996.01 – 9,022.00 .....	347	10,192.01 – 10,218.00 .....	393	11,388.01 – 11,414.00 .....	439
9,022.01 – 9,048.00 .....	348	10,218.01 – 10,244.00 .....	394	11,414.01 – 11,440.00 .....	440
9,048.01 – 9,074.00 .....	349	10,244.01 – 10,270.00 .....	395	11,440.01 – 11,466.00 .....	441
9,074.01 – 9,100.00 .....	350	10,270.01 – 10,296.00 .....	396	11,466.01 – 11,492.00 .....	442
9,100.01 – 9,126.00 .....	351	10,296.01 – 10,322.00 .....	397	11,492.01 – 11,518.00 .....	443
9,126.01 – 9,152.00 .....	352	10,322.01 – 10,348.00 .....	398	11,518.01 – 11,544.00 .....	444
9,152.01 – 9,178.00 .....	353	10,348.01 – 10,374.00 .....	399	11,544.01 – 11,570.00 .....	445
9,178.01 – 9,204.00 .....	354	10,374.01 – 10,400.00 .....	400	11,570.01 – 11,596.00 .....	446
9,204.01 – 9,230.00 .....	355	10,400.01 – 10,426.00 .....	401	11,596.01 – 11,622.00 .....	447
9,230.01 – 9,256.00 .....	356	10,426.01 – 10,452.00 .....	402	11,622.01 – 11,648.00 .....	448
9,256.01 – 9,282.00 .....	357	10,452.01 – 10,478.00 .....	403	11,648.01 – 11,674.00 .....	449
9,282.01 – 9,308.00 .....	358	10,478.01 – 10,504.00 .....	404	11,674.01 – and over .....	450
9,308.01 – 9,334.00 .....	359	10,504.01 – 10,530.00 .....	405		
9,334.01 – 9,360.00 .....	360	10,530.01 – 10,556.00 .....	406		
9,360.01 – 9,386.00 .....	361	10,556.01 – 10,582.00 .....	407		

## How to Get Help Online

- To learn more about EDD services and programs, visit the EDD website at [www.edd.ca.gov](http://www.edd.ca.gov).
- To ask us a question, access your UI Online or SDI account or visit <https://askedd.edd.ca.gov>.
- To find your nearest AJCC, visit [www.americasjobcenter.ca.gov](http://www.americasjobcenter.ca.gov).

## Phone

All of our phone numbers are toll free. For relay service, provide one of the numbers below to the operator.

## Unemployment Insurance

EDD staff are available Monday through Friday between 8 a.m. and 12 noon (Pacific Time), except on state holidays.

English	1-800-300-5616	Mandarin	1-866-303-0706
Spanish	1-800-326-8937	Vietnamese	1-800-547-2058
Cantonese	1-800-547-3506	TTY	1-800-815-9387

## Disability Insurance

EDD staff are available from Monday through Friday between 8 a.m. and 5 p.m. (Pacific Time), except on state holidays.

English	1-800-480-3287	Spanish	1-866-658-8846
TTY	1-800-563-2441		

## Paid Family Leave

EDD staff are available from Monday through Friday between 8 a.m. and 5 p.m. (Pacific Time), except on state holidays.

English	1-877-238-4373	Cantonese	1-866-692-5595
Spanish	1-877-379-3819	Vietnamese	1-866-692-5596
Armenian	1-866-627-1567	Punjabi	1-866-627-1568
Tagalog	1-866-627-1569	TTY	1-800-445-1312



**STATE OF CALIFORNIA**

**LABOR AND WORKFORCE DEVELOPMENT AGENCY**

**EMPLOYMENT DEVELOPMENT DEPARTMENT**

This publication is available on the EDD website at:  
**[www.edd.ca.gov/pdf\\_pub\\_ctr/de2320.pdf](http://www.edd.ca.gov/pdf_pub_ctr/de2320.pdf)**

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Requests for services, aids, and/or alternate formats need to be made by calling the information numbers listed in this book.





## About California Paid Family Leave

For many working Californians, finding time to be with a loved one when they need it most can be difficult. California's Paid Family Leave program was created for those moments that matter – when you are bonding with a new child or caring for a seriously ill family member.

## Fast Facts About California Paid Family Leave

- Provides up to six weeks of partial wage replacement benefits to bond with a new child (either by birth, adoption, or foster care placement) or to care for a seriously ill family member (child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner).
- Doesn't have to be taken all at once.
- Provides approximately 60 to 70 percent of your salary during your leave.
- Funded through your State Disability Insurance tax withholding, so you are most likely eligible if you've paid into State Disability Insurance (noted as "CASDI" on paystubs) or a qualifying voluntary plan in the past 5 to 18 months.
- Bonding claims can be used at any time in the first 12 months after a child enters your family.

## CALIFORNIA PAID FAMILY LEAVE moments matter.

### In California, it's the law.

Paid Family Leave benefits:  
Giving Californians the time they need to be there for the moments that matter.

English	1-877-238-4373
Spanish	1-877-379-3819
Cantonese	1-866-692-5595
Vietnamese	1-866-692-5596
Armenian	1-866-627-1567
Punjabi	1-866-627-1568
Tagalog	1-866-627-1569
TTY	1-800-445-1312

Individuals can also visit a Paid Family Leave or Disability Insurance office to obtain claim forms, receive information, or speak to a representative.  
Visit [edd.ca.gov/Disability/Contact\\_SDI.htm](http://edd.ca.gov/Disability/Contact_SDI.htm) to locate an office.



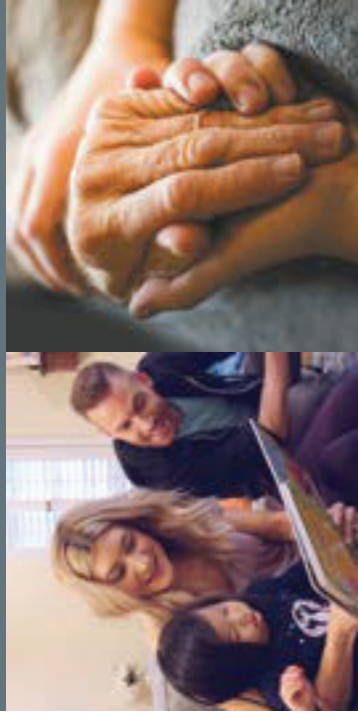
For more information, visit:  
**CaliforniaPaidFamilyLeave.com**

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CALIFORNIA PAID FAMILY LEAVE

# Helping Californians be present for the moments that matter.



## Do I Qualify For California Paid Family Leave?

To qualify for Paid Family Leave benefits, **you must meet** the following requirements:

- Need to take time off from work to care for a seriously ill family member or to bond with a new child.
- Be covered by State Disability Insurance (or a voluntary plan in lieu of State Disability Insurance).
- Have earned at least \$300 in the past 5 to 18 months.
- Submit your claim no later than 41 days after you begin your family leave. Do not file before your first day of leave.

If required by your employer, you must use up to two weeks of unused vacation leave or paid time off. Check with your human resources department to confirm your employer's requirements.

## How Are Benefit Amounts Calculated?

California Paid Family Leave provides approximately 60 to 70 percent of your weekly salary (from \$50 up to \$1,216 weekly).

The benefit amount is calculated from your highest quarterly earnings over the past 5 to 18 months, before the start of your claim. The Employment Development Department has an online calculator at [edd.ca.gov/PFL\\_Calculator](http://edd.ca.gov/PFL_Calculator) that can help you estimate your weekly benefit amount.

## How Do I Apply For Benefits?

Apply for Paid Family Leave benefits using SDI Online. Visit [edd.ca.gov/SDI\\_Online](http://edd.ca.gov/SDI_Online) for more information.

You may also apply using a paper form. Visit [edd.ca.gov/Forms](http://edd.ca.gov/Forms) to request a *Claim for Paid Family Leave (PFL) Benefits*, DE 2501F form.

For caregiving claims, you must supply medical certification showing that the care recipient has a serious health condition and requires your care. This needs to be completed by the care recipient's physician/practitioner. Information about the care recipient and their signature are also required.

For bonding claims, you must provide documentation showing proof of relationship between you and the child (e.g., a copy of the child's birth certificate, adoptive placement agreement, or foster care placement record).

If you are currently receiving pregnancy-related Disability Insurance benefits, it is not necessary to request a Paid Family Leave claim form. The form to file for bonding will be sent through your SDI Online account or via mail when your pregnancy-related disability claim ends.

If you are covered by a voluntary plan, contact your employer for information about your coverage and instructions on how to apply for benefits.

### If your claim is denied, you are entitled to:

- Know the reason for denial.
- Appeal decisions about your eligibility for benefits. Visit [edd.ca.gov/DisabilityAppeals.htm](http://edd.ca.gov/DisabilityAppeals.htm) for information about appeals.

All claim information is confidential except for purposes allowed by law.



## Does Paid Family Leave Provide Job Protection?

California Paid Family Leave does not provide job protection or a right to return to work. However, job protection may be provided under other laws such as the federal Family and Medical Leave Act, the California Family Rights Act, or the New Parent Leave Act (if you qualify). Notify your employer of your plan to take leave and the reason for taking leave according to your company's policy.