

Comparison of FMLA, CFRA and PDLA

	Family and Medical Leave Act	California Family Rights Act	California PDLA
<i>Pregnancy disability covered as a serious health condition?</i>	Yes, covers both pregnancy disability and birth or adoption.	No requirement for a serious health condition for employee or child. Birth or adoption only.	Yes, covers employees disabled by pregnancy only.
<i>Covered employer</i>	50+ employees.	50+ employees.	Five+ employees.
<i>Eligible employee</i>	12 months and 1250 hours.	12 months and 1250 hours.	None.
<i>Duration</i>	12 weeks.	12 weeks.	Four months.
<i>Discrimination provision</i>	No provision for discrimination.	No provision for discrimination.	Pregnancy-related discrimination prohibited.
<i>Certification</i>	Employer may require.	Employer may require.	Employer may require.
<i>Employee notice</i>	30 days if foreseeable, or as soon as practicable.	30 days if foreseeable, or as soon as practicable.	30 days if foreseeable, or as soon as practicable.
	Within two business days unless extenuating circumstances.	As soon as practicable, no later than 10 calendar days.	As soon as practicable, no later than 10 calendar days.
<i>Intermittent/reduced leave</i>	When medically necessary, in time blocks as small as payroll system permits. For birth or adoption, must have employer's consent.	When medically necessary, in time blocks as small as payroll system permits. For birth or adoption, in two-week increments.	When medically necessary, in time blocks as small as payroll system permits.
<i>Use of sick leave</i>	Employee may choose, or employer may require. Employer need not permit use of sick leave for other than	Employee may choose, or employer may require. Sick leave for other than employee's own medical	Employee may choose to substitute paid leave, but employer may not require.

	reasons specified in leave policy.	illness requires both employer and employee to agree.	
<i>Continuation of benefits</i>	Employer must maintain coverage under group health plan under same condition. Can require employee to pay his/her portion of the premiums.	Employer must maintain group health benefits and all other benefits and seniority under same conditions as applicable to other unpaid disability leaves.	Employer must maintain group health benefits and all other benefits and seniority under same conditions as applicable to other unpaid disability leaves.
<i>Right to reinstatement</i>	Same or equivalent position. Key employee exception.	Same or comparable position. Key employee exception.	Same or comparable position. Undue hardship defense.