

Legislative History: Paid Sick Days, Family & Medical Leave & Bereavement Leave

CALIFORNIA WORKING FAMILIES POLICY SUMMIT JANUARY 12, 2011

The following legislative history offers a brief overview of state legislation related to Paid Sick Days, Family & Medical Leave, and Bereavement Leave in California.

1991

AB 77 (Moore) - Chapter 462, Statutes of 1991

The Family Rights Act of 1991 guaranteed workers of businesses with 50 or more employees and at least one year of continuous job tenure the right to unpaid job-protected leave to care for a seriously ill child, spouse or parent and to bond with a newborn or newly adopted child. Workers are entitled to up to 4 months of leave during a 24 month period.

1993

AB 1460 (Moore) - Chapter 827, Statutes of 1993

This bill amends the Family Rights Act of 1991 to conform with the federal Family and Medical Leave Act (FMLA) signed by Congress in 1993.

1999

AB 109 (Knox) - Chapter 164, Statutes of 1999

This bill gives workers the right to use up to half of their annual accrued sick leave to care for a sick child, spouse, or parent. The bill is commonly referred to as the Kin-Care law.

2002

SB 1471 (Romero) – Chapter 1107, Statutes of 2002

This bill clarifies that sick leave taken pursuant to the Kin-Care law cannot be counted against an employer absence control policy as a basis for discipline, demotion, discharge or suspension.

SB 1661 (Kuehl) – Chapter 901, Statutes of 2002

This bill created the California Paid Family Leave program, funded by employee contributions to the State Disability Insurance Fund, to provide up to 6 weeks each year of partial wage replacement to workers on leave for family caregiving or bonding with a new child.

2003

SB 727 (Kuehl) – Chapter 797, Statutes of 2003

This bill makes conforming, clarifying and technical changes to the newly created California Paid Family Leave program.

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2007

AB 537 (Swanson) – Vetoed

This bill would have expanded the definition of family member under the California Family Rights Act (CFRA) so that workers could take unpaid job-protected leave to care for siblings, grandparents, grandchildren, in-laws and adult children.

SB 727 (Kuehl) – Vetoed

This bill would have expanded the definition of family member under the California Paid Family Leave program to allow workers access to partial wage replacement while on leave to care for a seriously ill sibling, grandparent, grandchild and in-law.

SB 549 (Corbett) – Vetoed

This bill would provide employees in California the right to take up to four days of unpaid job-protected leave from work upon the death of a spouse, child, parent, sibling, grandparent, grandchild or domestic partner.

2008

AB 2716 (Ma)

The Healthy Families, Healthy Workplaces Act would guarantee all California workers the right to earn and use paid sick days for personal illness, to care for a sick family member, or to recover from domestic violence or sexual assault.

2009

AB 1000 (Ma)

The Healthy Families, Healthy Workplaces Act would guarantee all California workers the right to earn and use paid sick days for personal illness, to care for a sick family member, or to recover from domestic violence or sexual assault. This bill was substantially similar to AB 2716 introduced in 2008.

AB 849 (Swanson)

This bill would have expanded the definition of family member under the California Family Rights Act (CFRA) so that workers could take unpaid job-protected leave to care for siblings.

2010

AB 2340 (Monning) - Vetoed

This bill would provide employees in California the right to take up to three days of unpaid job-protected leave from work upon the death of a spouse, child, parent, sibling, grandparent, grandchild or domestic partner.