

New California Disability and Leave Laws - Are You Ready for 2018?

Thursday, December 21, 2017

With the turn of the year comes a wave of new California disability and leave laws. Employers should review their existing policies and procedures to determine if they will be compliance with these new laws—many of which will go into effect on January 1:

- **Parental Leave:** California will expand parental leave to small employers. Current law requires that employers with 50 or more employees within 75 miles grant up to 12 weeks of unpaid leave to eligible employees who request time off to bond with a newborn child or a child placed in the employee's home for foster care or adoption. Effective January 1, California will extend this leave entitlement to employees who work for an employer with 20 or more employees within 75 miles. More details can be found [here](#). Employers should ensure their policies are updated to account for this new leave entitlement.
- **California and Local Sick Leave Laws:** Since the passage of the California Paid Sick Leave Law, various cities have enacted their own sick leave ordinances which pose additional requirements for employers. Currently, the following cities in California have enacted sick leave ordinances: San Francisco, Los Angeles, San Diego, Oakland, Berkeley, Emeryville, and Santa Monica. Employers should revisit whether any of these ordinances apply to their organizations since very low thresholds of work trigger their application.
- **Lactation Ordinance:** Effective January 1, San Francisco will expand existing federal and California laws regarding lactation in the workplace by requiring employers to provide employees with lactation rooms that are safe, clean, and free of hazardous materials; that contain a surface to place a breast pump and other personal items; that have a place to sit; and that have access to a refrigerator, sink, and electricity. Employers should update their employee handbooks since they are now required to maintain a written lactation accommodation policy under the new ordinance. More details about these requirements are discussed [here](#).
- **Domestic Violence Leave Notice:** Current law requires employers with 25 or more employees to provide written notice to their employees to inform them of their rights to take protected leave for domestic violence, sexual assault, or stalking. Employers are required to inform each employee of his or her rights upon hire and at any time upon request. On July 1, 2017, the Labor Commissioner developed and posted online a form that employers may use to satisfy these [new notice requirements](#). Employers should review their new hire packets to ensure this notice is included.

Given the nuances of these new laws, employers should carefully review and revise its written policies, procedures, and new-hire packets as needed.

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