



expansion of california parental leave rights

MSK Client Alert

October 31, 2017

Governor Signs Bill Expanding Parental Leave Rights for Employees of Small Businesses

Governor Jerry Brown has signed the New Parent Leave Act ("PLA"), extending baby-bonding leave with job protection rights and continuation of pre-existing health insurance to a broad segment of California employees. Employers with **twenty (20) or more** employees within 75 miles of a qualified employee's worksite must provide "12 weeks of [unpaid] parental leave to bond with a new child within one year of the child's birth, adoption, or foster care placement." A qualified employee is one with twelve (12) months of service to the employer and 1,250 hours worked in the previous year. This leave is unpaid but the employee is entitled to use any accrued vacation pay, sick pay or other paid time off during the period of parental leave. Moreover, during the protected period of the leave, the employer must continue its payments for employee health coverage under a group health plan. The law goes into effect on January 1, 2018.

This law does not change anything for businesses with 50 or more employees as they were already required to provide such baby-bonding leave under the California Family Rights Act (CFRA) and the federal Family and Medical Leave Act (FMLA). This law also does not apply to California employers that employ fewer than twenty employees. PLA is estimated to impact 16 percent of California's labor force.

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