



LEAVE MANAGEMENT SOLUTIONS
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PDL/FMLA/CFRA/ADA

Flow Charts

Pregnancy Related Leaves with No Complications

**Pregnancy Disability Leave
(12 weeks)**

**Baby
Born**

**Family Medical Leave Act
(12 weeks)**

- PDL on average 4-6 weeks before delivery date
- PDL 6 weeks on average post partum for regular delivery / 8 weeks on average post partum for C-section

**CFRA Baby Bonding
(12 weeks)**

- Employee didn't take PDL/FMLA until 6 weeks before the day the baby was born (used 6 weeks of the 17 1/3 weeks available)
- PDL/FMLA used for 6 weeks post birth date
- FMLA was designated concurrent with PDL, exhausted at 12 weeks,
- Employee requested CFRA Baby Bonding time after PDL/FMLA ended.
- Medical Benefits Protected for all of PDL/FMLA and CFRA Baby Bonding
- Employer can required employee to use sick leave and offset SDI/Disability payments. Their pay will not be more than their actual wages
- Employer cannot require the use of vacation or personal paid time off (PTO) during PDL, employee may choose to use it.
- NOTE – SDI runs concurrently to PDL/FMLA and Paid Family Leave run concurrent to Baby Bonding until PFL exhausted. Job is not protected

Overview of Pregnancy Related Leaves with need for longer PDL prior to Birth

Pregnancy Disability Leave (17 1/3 weeks)

- PDL need 14 weeks before delivery date
- PDL exhausted after 3 1/3 week after birth of baby
- CFRA Baby Bonding starts once PDL exhausted

PDL & FMLA will run concurrently

FMLA (12 weeks)

Baby Born

CFRA Baby Bonding (12 weeks)

- CFRA - 12 weeks may be taken up to one (1) year, post birth/recovery period. 2 times in increments less than two (2) weeks, otherwise the leave must be longer than two (2) weeks
- FMLA/CFRA leave used for another medical condition does NOT count towards CFRA Baby Bonding
- Baby Bonding is also not available if the employee does not meet the qualifications – if eligible for CFRA Baby Bonding at time they first took PDL/FMLA leave do not need to re-qualify
- Employee gets medical benefit protections for all of PLD AND CFRA Baby Bonding
- NOTE – SDI runs concurrently to PDL/FMLA and Paid Family Leave run concurrent to Baby Bonding until PFL exhausted. Job is not protected

Pregnancy Related Leaves with Complications and/or Disability as a result of the Pregnancy, Potential ADA/FEHA

Pregnancy Disability Leave (17 1/3 weeks)

FMLA (12 weeks)

ADA/FEHA

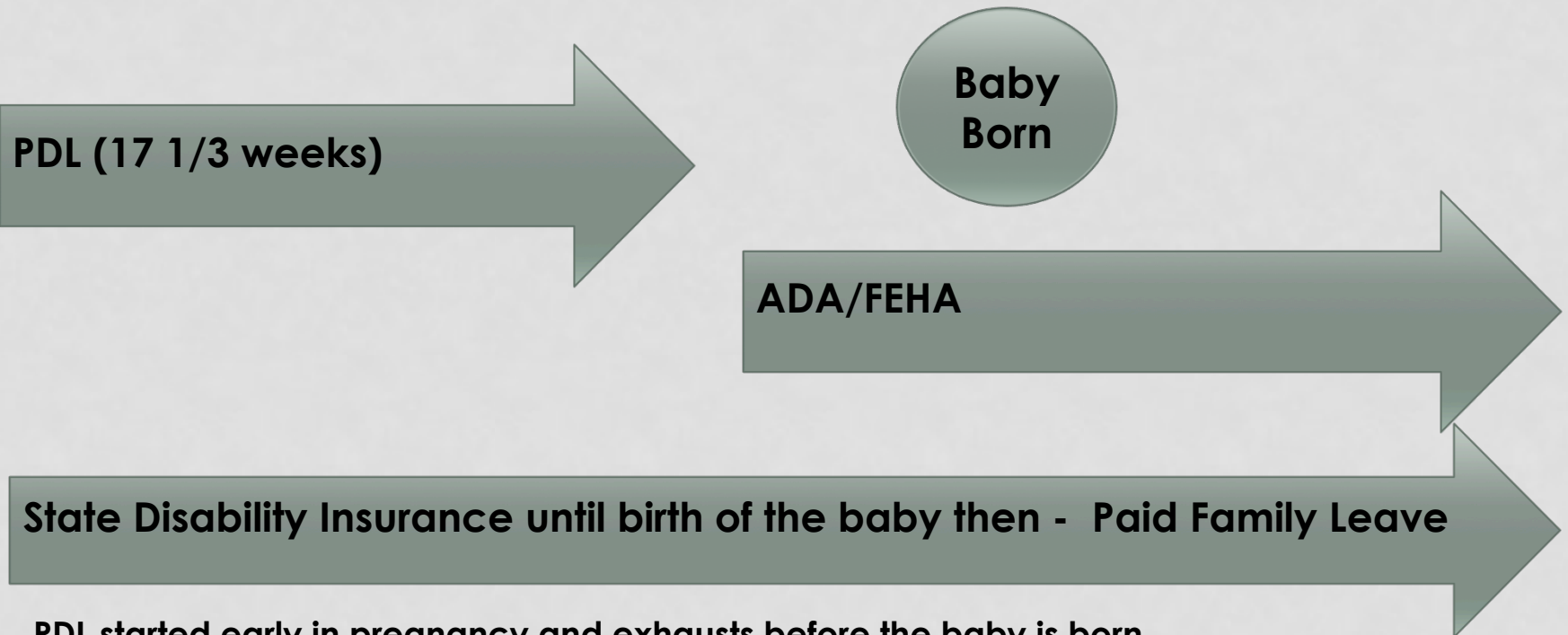
Baby Born

CFRA Baby Bonding (12 weeks)

State Disability Insurance until birth of the baby then - Paid Family Leave

- **PDL Started early in the pregnancy**
- **FMLA & PDL were designated concurrently. FMLA exhausted, but baby not yet born.**
- **ADA will begin after ALL PDL, FMLA, exhausts if employee is eligible as a result of a disability not the pregnancy itself.**
- **NOTE: If employee needs leave AND an accommodation such as lifting, ADA and PLD/FMLA could all run concurrently.**

Pregnancy Related Leaves with Complications Company Not Required or EE Not Eligible for FMLA/CFRA



- PDL started early in pregnancy and exhausts before the baby is born
- Employer is not covered by FMLA/CFRA (less than 50 employees) or EE is not Eligible or has exhausted FMLA
- Post exhaustion of PDL leave could then be designated as an accommodation under ADA/ FEHA if the employee is disabled as a result of the pregnancy. Pregnancy itself is not a disability nor is normal pregnancy related post partum recover.
- NOTE – SDI runs concurrently to PDL/FMLA and Paid Family Leave run concurrent to Baby Bonding until PFL exhausted. Job is not protected