

California Labor Law Postings (Part 2 of 2)

PREGNANCY DISABILITY/CFRA LEAVE

THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR RIGHTS AND OBLIGATIONS AS A PREGNANT EMPLOYEE



YOUR EMPLOYER* HAS AN OBLIGATION TO:

- Provide reasonable accommodations for your medical needs related to pregnancy, childbirth, or related medical conditions (such as temporarily modifying your work duties, providing you with unpaid leave, or providing light duty).
- Transfer you to a less strenuous or hazardous position (if reasonable) if you, or others, if medically necessary, need to be away from your pregnancy.
- Provide you with reasonable disabilities leave of up to one-half of the working days you normally would work in one-half of a year or 12 weeks if you are disabled by your pregnancy, or, in certain instances, to a comparable leave period.
- Provide you with reasonable disabilities leave of up to a week of the working days you normally would work in one-half of a year or 12 weeks if you are disabled by your pregnancy, or, in certain instances, to a comparable leave period.
- Provide a written medical certification from your health care provider stating the reason for your disability and the time to obtain it, your employer may require you to supply a written medical certification from your health care provider in order of the medical need for your reasonable accommodation, if you are disabled by your pregnancy.
- If unforeseeable, you must provide this certification within the time period required by your employer. If it is not practicable for you to do so under the circumstances despite your diligent, good faith effort, your employer must provide a reasonable advance notice of the need for the reasonable accommodation.
- Provide a written medical certification from your health care provider stating the reason for your disability and the time to obtain it, your employer may require you to supply a written medical certification from your health care provider in order of the medical need for your reasonable accommodation, if you are disabled by your pregnancy.

FOR PREGNANCY DISABILITY LEAVE:

PDL is not for an automatic period of time but for a period of time that you are disabled by your pregnancy, childbirth, or related medical condition. Your health care provider will determine how long you need.

Once your employer has been informed that you need to take time off work due to pregnancy, they will let you know when you can return to work in your same or a comparable position if you request a written guarantee. Your employer may require you to supply a written medical certification from your health care provider substantiating the need for your leave.

You may be entitled to reasonable disabilities leave for more frequent breaks, time for prenatal or postnatal medical appointments, prenatal or postnatal hypertension, gestational diabetes, preterm labor, hypertension, heartburn, anemia, recovering from childbirth or loss of a pregnancy, and/or postpartum depression.

You may be entitled to reasonable disabilities leave at once but can be taken on an as-needed basis as required by your health care provider, including intermittent leave or a reduced work schedule.

Your leave will be paid or unpaid depending on your employer's policy. Paid leave may be available to you if you are eligible for state disability insurance or Paid Family Leave (PFL) through the California Employment Development Department.

At your discretion, you can use any vacation or other paid time off to take time off work.

Your employer may require you or may choose to use any available sick leave during your pregnancy.

You may be entitled to reasonable disabilities leave to continue your group health coverage during your PDL at the same level and under the same terms and conditions as if you had continued to work if you had continued in employment continuously for the duration of your leave.

Taking PDL may impact certain of your benefits and your family plan; please contact your employer for details.

NOTICE OBLIGATIONS AS AN EMPLOYEE:

- Give your employer reasonable advance notice, to receive reasonable accommodations, either a transfer or PDL, you must give your employer sufficient notice for your employer to make arrangements. Your employer may require you to supply a written medical certification from your health care provider advance notice if the need for the reasonable accommodation is unforeseeable, you must provide this certification as soon as practicable if the need is an emergency or unforeseeable.
- Provide a written medical certification from your health care provider stating the reason for your disability and the time to obtain it, your employer may require you to supply a written medical certification from your health care provider in order of the medical need for your reasonable accommodation, if you are disabled by your pregnancy.
- If unforeseeable, you must provide this certification within the time period required by your employer. If it is not practicable for you to do so under the circumstances despite your diligent, good faith effort, your employer must provide a reasonable advance notice of the need for the reasonable accommodation.
- If you have a employer has a copy of a medical certification from your health care provider, your employer may require you to supply a written medical certification from your health care provider in order of the medical need for your reasonable accommodation, if you are disabled by your pregnancy.

ADDITIONAL LEAVE UNDER THE CALIFORNIA FAMILY RIGHTS ACT (CFRA):

Under the California Family Rights Act (CFRA), if you have more than 1,250 hours worked in the 12-month period before the date you begin your leave, you are entitled to up to 12 weeks of family medical leave (CFRA leave). This leave may be up to 12 weeks of unpaid leave, or up to 12 weeks of paid leave, or a combination of both. You may be entitled to unpaid leave, or a combination of unpaid and paid leave, if you are entitled to unpaid leave under the Family Medical Leave Act (FMLA) or Paid Family Leave (PFL) program, which is administered by the Employment Development Department.

If you have been subjected to discrimination, harassment, or retaliation at work, or have been improperly denied PDL or CFRA leave, file a complaint with DFEH.

TO FILE A COMPLAINT

Department of Fair Employment and Housing
dfeh.ca.gov

Toll Free: (800) 884-1684
TTY: (800) 700-2320

If you have a disability that requires a reasonable accommodation, DFEH can assist you with your complaint. Contact us through any method above or, for individuals who are deaf or hard of hearing or have speech disabilities, through the California Relay Service (711).

FAMILY CARE & MEDICAL LEAVE & PREGNANCY DISABILITY LEAVE



THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING
AND THE DEPARTMENT OF HUMAN SERVICES OF THE STATE OF CALIFORNIA
FROM UNLAWFUL DISCRIMINATION IN EMPLOYMENT, HOUSING, BUSINESS ESTABLISHMENTS, AND STATE-FUNDED PROGRAMS, SERVICES, AND FROM HUMAN TRAFFICKING.

Under California law, you may have the right to take job-protected leave to care for your own serious health condition or a family member with a serious health condition, or to bond with a new child (via birth, adoption, or foster care). California law also requires employers to provide job-protected leave and accommodations to employees who are disabled by pregnancy, childbirth, or a related medical condition.

Under the California Family Rights Act of 1993 (CFRA), if you have more than 1,250 hours worked in the 12-month period before the date you begin your leave, you are entitled to up to 12 weeks of family medical leave (CFRA leave). This leave may be up to 12 weeks of unpaid leave, or up to 12 weeks of paid leave, or a combination of both. You may be entitled to unpaid leave, or a combination of unpaid and paid leave, if you are entitled to unpaid leave under the Family Medical Leave Act (FMLA) or Paid Family Leave (PFL) program, which is administered by the Employment Development Department.

If you have been subjected to discrimination, harassment, or retaliation at work, or have been improperly denied PDL or CFRA leave, file a complaint with DFEH.

We may require certification from your health care provider before allowing you a leave for pregnancy disability or for your own serious health condition. We also may require certification from your health care provider if your family member who has a serious health condition, before allowing you a leave to take care of that family member. When making a leave request, you may be taken on an intermittent or reduced work schedule.

If you are taking a leave for the birth, adoption, or foster care placement of a child, basic minimum duration of the leave is 12 weeks, and you may continue the leave when one or more of the birth, placement for adoption, or foster care.

Taking a family care or pregnancy disability leave may impact certain of your benefits and your seniority date. If you want more information regarding your eligibility for a leave and/or the impact of the leave on your benefits and seniority and benefits, please contact your employer.

If you have been subjected to discrimination, harassment, or retaliation at work, or have been improperly denied PDL or CFRA leave, file a complaint with DFEH.

TO FILE A COMPLAINT

Department of Fair Employment and Housing
dfeh.ca.gov

Toll Free: (800) 884-1684
TTY: 800-700-2320

If you have a disability that requires a reasonable accommodation, DFEH can assist you with your complaint. Contact us through any method above or, for individuals who are deaf or hard of hearing or have speech disabilities, through the California Relay Service (711).

DFEH-EDAP-ENG / January 2022

*PDL, CFRA leave, and anti-discrimination protections apply to employers of 5 or more employees; anti-harassment protections apply to employers of 1 or more.

**A "family member" includes a spouse, child, sibling, parent, or child of an employee or the employee's domestic partner, or a person to whom the employee stands in loco parentis.

†A "new child" includes a biological, foster, or step-parent, a parent-in-law, a stepparent, or a person who stood in loco parentis to the employee when the employee was a child.

This guidance is for informational purposes only, does not establish substantive policy or rights, and does not constitute legal advice.

DFEH-EDAP-ENG / January 2022

PAID SICK LEAVE

Division of Labor Standards Enforcement

Office of the Labor Commissioner

THIS POSTER MUST BE DISPLAYED WHERE EMPLOYEES CAN EASILY READ IT (Poster may be printed on 8 1/2" x 11" letter size paper)

HEALTHY WORKPLACES/HEALTHY FAMILIES ACT OF 2014 PAID SICK LEAVE

Entitlement:

- An employee who, on or after July 1, 2015, works in California for 30 or more days within a year from the beginning of employment is entitled to paid sick leave.
- Paid sick leave accrues at the rate of one hour per every 30 hours worked, paid at the employee's regular wage rate. Accrual shall begin on the first day of employment or July 1, 2015, whichever is later.
- Accrued paid sick leave shall carry over to the following year of employment and may be capped at 48 hours or 6 days. However, subject to specified conditions, if an employer has a paid sick leave, paid leave or paid time off policy (PTO) that provides no less than 24 hours or three days of paid leave or paid time off, no accrual or carry over is required if the full amount of leave is received at the beginning of each year in accordance with the policy.

Usage:

- An employee may use accrued paid sick days beginning on the 90th day of employment.
- An employer shall provide paid sick days upon the oral or written request of an employee for themselves or a family member for the diagnosis, care or treatment of an existing health condition or preventive care, or specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking.
- An employer may limit the use of paid sick days to 24 hours or three days in each year of employment.

Retaliation or discrimination against an employee who requests paid sick days or uses paid sick days or both is prohibited. An employee can file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against the employee.

For additional information you may contact your employer or the local office of the Labor Commissioner. Locate the office by looking at the list of offices on our website <http://www.dir.ca.gov/dise/DistrictOffices.htm> using the alphabetical listing of cities, locations, and communities. Staff is available in person and by telephone.

DLSE Paid Sick Leave Posting

TRANSGENDER RIGHTS

TRANSGENDER RIGHTS IN THE WORKPLACE



WHAT DOES "TRANSGENDER" MEAN?

Transgender is a term used to describe people whose gender identity differs from the sex they were assigned at birth. Gender expression is defined by the law to mean a "person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth." Gender identity and gender expression are protected characteristics under Title VII of the Civil Rights Act. The law protects that employers may not discriminate against someone because they identify as transgender or gender non-conforming. This includes the perception that someone is transgender or gender non-conforming.

WHAT IS A GENDER TRANSITION?

1. "Social transition" involves a process of socially transitioning, including internal self (e.g., changes in name and pronoun, bathroom facility usage, participation in activities like sports, etc.)

2. "Physical transition" refers to medical treatments an individual may undergo to physically align their body with internal sense of self (e.g., hormone therapies or surgical procedures).

A person does not need to complete any particular step in a gender transition in order to be protected by the law. An employer must not condition its treatment or accommodation of a transitioning employee upon completion of a particular step in a gender transition.

FAQ FOR EMPLOYERS

• What is an employer allowed to ask?

Employers may ask about an employee's employment history, and may ask for personal references, in addition to other non-discriminatory questions. An interviewer should not ask questions designed to detect a person's gender identity, including asking about their marital status, spouse's name, or relation of household members to one another. Employers should not ask questions about a person's body or whether they plan to have surgery.

• How do employers implement dress codes and grooming standards?

An employer who requires a dress code must enforce it in a non-discriminatory manner. This means that, unless an employer can demonstrate business necessity, each employee must be allowed to dress in accordance with their gender identity and gender expression. Transgender or gender non-conforming employees may not be held to any different standard of dress or grooming than any other employee.

CONTACT US

Toll Free: (800) 884-1684
TTY: (800) 700-2320
[contactcenter.dir.ca.gov](http://contactcenter.dir.ca.gov/www.dfeh.ca.gov)

DFEH-EDAP-ENG / December 2019

*Effective 1/1/2020.

If you believe you are a victim of discrimination you may, within three years* of the discrimination, file a complaint of discrimination by contacting DFEH.

To schedule an appointment, contact the Communication Center below.

If you have a disability that requires a reasonable accommodation, the communication center will assist you by sending your intake by phone or, for individuals who are Deaf or Hard of Hearing or have speech disabilities, through the California Relay Service (711), or you can contact us below.

FILING A COMPLAINT

If you believe you are a victim of discrimination you may, within three years* of the discrimination, file a complaint of discrimination by contacting DFEH.

To schedule an appointment, contact the Communication Center below.

If you have a disability that requires a reasonable accommodation, the communication center will assist you by sending your intake by phone or, for individuals who are Deaf or Hard of Hearing or have speech disabilities, through the California Relay Service (711), or you can contact us below.

CONTACT US

Toll Free: (800) 884-1684
TTY: (800) 700-2320
[contactcenter.dir.ca.gov](http://contactcenter.dir.ca.gov/www.dfeh.ca.gov)

EA090 01/2022



**NO
SMOKING**

No Smoking

E5066



**NO
SMOKING**

No Smoking

E5066

EMERGENCY

AMBULANCE: 911

FIRE - RESCUE: 911

HOSPITAL: 805.652.6000

PHYSICIAN: 805.983.2234

ALTERNATE: _____

POLICE: 911

CAL/OSHA: 818.901.5403

Posting is required by Title 8 Section 1512(e), California Code of Regulations



March 1990
S-500

State of California
Department of Industrial Relations
Cal/OSHA Publications
P.O. Box 420603
San Francisco, CA 94142-0603

ACCESS TO MEDICAL AND EXPOSURE RECORDS

www.dir.ca.gov

BY CAL/OSHA REGULATION
- GENERAL INDUSTRY SAFETY ORDER 3204 -
YOU HAVE THE RIGHT TO SEE AND COPY:

- Your medical records and records of exposure to toxic substances or harmful physical agents.
- Records of exposure to toxic substances or harmful physical agents of other employees with work conditions similar to yours.
- Safety Data Sheets (SDS) or other information that exists for chemicals or substances used in the workplace, or which employees may be exposed.

THESE RECORDS ARE AVAILABLE AT:

575 Dawson Dr.

(Location)

Suite 214, Camarillo, CA, 930312

FROM: Nokay Tipton

(Person Responsible)

A COPY OF THE GENERAL INDUSTRY SAFETY ORDER 3204
IS AVAILABLE FROM: Nokay Tipton

The above information satisfies the requirements of GISO 3204 (g), which may be fulfilled by posting this placard in the workplace, or by any similar method the employer chooses.

www.dir.ca.gov/dosh/dosh1.html

State of California
Department of Industrial Relations
Division of Occupational Safety and Health
1515 Clay Street, Suite 1901
Oakland, CA 94612
Phone: (510) 286-7000
Fax: (510) 286-7037

State of California
Department of Industrial Relations
Division of Labor Standards Enforcement

PAYDAY NOTICE

REGULAR PAYDAYS FOR EMPLOYEES OF Superior Stage Crew Inc.
(FIRM NAME)

Every Other Friday SHALL BE AS FOLLOWS:

THIS IS IN ACCORDANCE WITH SECTIONS 204, 204A, 204B, 205, AND 205.5
OF THE CALIFORNIA LABOR CODE

BY Lavren Tipton

TITLE CFO

PLEASE POST

DLSE 8

CALIFORNIA LAW PROHIBITS WORKPLACE DISCRIMINATION & HARASSMENT

DFEH

THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING



THE MISSION OF THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING IS TO PROTECT THE PEOPLE OF CALIFORNIA FROM UNLAWFUL DISCRIMINATION IN EMPLOYMENT, HOUSING AND PUBLIC ACCOMMODATIONS, AND FROM THE PERPETRATION OF ACTS OF HATE VIOLENCE AND HUMAN TRAFFICKING.

The California Department of Fair Employment and Housing (DFEH) enforces laws that protect you from illegal discrimination and harassment in employment based on your actual or perceived:

- ANCESTRY
- AGE (40 and above)
- COLOR
- DISABILITY (physical, mental, HIV and AIDS)
- GENETIC INFORMATION
- GENDER IDENTITY, GENDER EXPRESSION
- MARITAL STATUS
- MEDICAL CONDITION (genetic characteristics, cancer or a record or history of cancer)
- MILITARY OR VETERAN STATUS

- NATIONAL ORIGIN (includes language use and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized under federal law)
- RACE (including, but not limited to, hair texture and protective hairstyles. Protective hairstyles includes, but is not limited to, such hairstyles as braids, locks, and twists)
- RELIGION (includes religious dress and grooming practices)
- SEX/GENDER (includes pregnancy, childbirth, breastfeeding and/or related medical conditions)
- SEXUAL ORIENTATION

THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT (GOVERNMENT CODE SECTIONS 12900 THROUGH 12996) AND ITS IMPLEMENTING REGULATIONS (CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTIONS 11000 THROUGH 11141):

1. Prohibit harassment of employees, applicants, unpaid interns, volunteers, and independent contractors by any persons and require employers to take all reasonable steps to prevent harassment. This includes a prohibition against sexual harassment, gender harassment, harassment based on pregnancy, childbirth, breastfeeding and/or related medical conditions, as well as harassment based on all other characteristics listed above
2. Require that all employers provide information to each of their employees on the nature, illegality, and legal remedies that apply to sexual harassment. Employers may either develop their own publications, which must meet standards set forth in California Government Code section 12950, or use material from DFEH.
3. Require employers with 5 or more employees and all public entities to provide training for all employees regarding the prevention of sexual harassment, including harassment based on gender identity, gender expression, and sexual orientation.
4. Prohibit employers from limiting or prohibiting the use of any language in any workplace unless justified by business necessity. The employer must notify employees of the language restriction and consequences for violation. Also prohibit employers from discriminating against an applicant or employee because they possess a driver's license issued to a person who is unable to prove that their presence in the United States is authorized under federal law.
5. Require employers to reasonably accommodate an employee, unpaid intern, or job applicant's religious beliefs and practices, including the wearing or carrying of religious clothing, jewelry or artifacts, and hair styles, facial hair, or body hair, which are part of an individual's observance of their religious beliefs.
6. Require employers to reasonably accommodate employees or job applicants with disabilities to enable them to perform the essential functions of a job.
7. Permit job applicants, unpaid interns, volunteers, and employees to file complaints with DFEH against an employer, employment agency, or labor union that fails to grant equal employment as required by law.
8. Prohibit discrimination on a protected basis against any job applicant, unpaid intern, or employee in hiring, promotions, assignments, termination, or any term, condition, or privilege of employment.
9. Require employers, employment agencies, and unions to preserve applications, personnel records, and employment referral records for a minimum of four years
10. Require employers to provide leaves of up to four months to employees disabled because of pregnancy, childbirth, or a related medical condition.
11. Require an employer to provide reasonable accommodations requested by an employee, on the advice of their health care provider, related to their pregnancy, childbirth, or a related medical condition.
12. Require employers of 5 or more persons to allow eligible employees to take up to 12 weeks leave in a 12-month period: to care for their own serious health condition; to care for a child of any age*, spouse, domestic partner, parent**, grandparent, grandchild, or sibling with a serious health condition; to bond with a new child (by birth, adoption, or foster placement); or for certain military exigencies.

13. Require employment agencies to serve all applicants equally, refuse discriminatory job orders, and prohibit employers and employment agencies from making discriminatory pre-hiring inquiries or publishing help-wanted advertisements that express a discriminatory hiring preference.
14. Prohibit unions from discriminating in member admissions or dispatching members to jobs.
15. Prohibit retaliation against a person who opposes, reports, or assists another person to oppose unlawful discrimination.

FILING A COMPLAINT

The law provides for remedies for individuals who experience prohibited discrimination, harassment, or retaliation in the workplace. These remedies include hiring, front pay, back pay, promotion, reinstatement, cease-and-desist orders, expert witness fees, reasonable attorney's fees and costs, punitive damages, and emotional distress damages.

Job applicants, unpaid interns, and employees: If you believe you have experienced discrimination, harassment, or retaliation you may file a complaint with DFEH. Independent contractors and volunteers: If you believe you have been harassed, you may file a complaint with DFEH.

Complaints must be filed within three years of the last act of discrimination/harassment/retaliation. For victims who are under the age of eighteen, not later than three years after the last act of discrimination/harassment/retaliation or one year after the victim's eighteenth birthday whichever is later.

If you have been subjected to discrimination, harassment, or retaliation at work, or have been improperly denied family or medical leave, file a complaint with DFEH.

TO FILE A COMPLAINT

Department of Fair Employment and Housing

dfeh.ca.gov

Toll Free: 800.884.1684 • TTY: 800.700.2320

If you have a disability that requires a reasonable accommodation, DFEH can assist you with your complaint. Contact us through any method above or, for individuals who are deaf or hard of hearing or have speech disabilities, through the California Relay Service (711).

DFEH is committed to providing access to our materials in an alternative format as a reasonable accommodation for people with disabilities when requested.

Government Code section 12950 and California Code of Regulations, title 2, section 11013, require all employers to post this document. It must be conspicuously posted in hiring offices, on employee bulletin boards, in employment agency waiting rooms, union halls, and other places employees gather. Any employer whose workforce at any facility or establishment consists of more than 10% of non-English speaking persons must also post this notice in the appropriate language or languages.

* "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of an employee or the employee's domestic partner, or a person to whom the employee stands in loco parentis.

** "Parent" includes a biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child.

LA LEY DEL ESTADO DE CALIFORNIA PROHIBE EN EL LUGAR DE TRABAJO DISCRIMINACIÓN Y ACOSO

DFEH



THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING
(Departamento de Empleo y Vivienda Justo) EPA

LA MISIÓN DEL DEPTO. DE EMPLEO Y VIVIENDA JUSTO ES DE PROTEGER A LAS PERSONAS EN EL ESTADO DE CALIFORNIA DE LA DISCRIMINACIÓN ILEGAL EN EL EMPLEO, EN LA VIVIENDA, EN ESTABLECIMIENTOS PÚBLICOS, Y DE LA PERPETRACIÓN DE ACTOS DE VIOLENCIA Y POR TRÁFICO HUMANO

EL DEPARTAMENTO DE EMPLEO Y VIVIENDA JUSTO (DFEH) HACER VALER LAS LEYES QUE LO PROTEGEN A USTED DE LA DISCRIMINACIÓN ILEGAL Y ACOSO EN EMPLEO, SOBRE LA BASE DE LA REALIDAD O LO QUE USTED PERCIBA:

- ASCENDENCIA
- EDAD (40 y más)
- COLOR
- DISCAPACIDAD (física, mental, VIH y SIDA)
- INFORMACIÓN GENÉTICA
- IDENTIDAD DE GÉNERO, EXPRESIÓN DE GÉNERO
- ESTADO CIVIL
- CONDICIÓN MÉDICA (características genéticas, cáncer o récord o historial de cáncer)
- ESTADO MILITAR O VETERANO

- ORIGEN NACIONAL (incluye uso del idioma, licencia de conducir emitida a personas que no pueden probar su presencia en Estados Unidos, autorizada bajo la ley federal)
- RAZA (incluye, pero no está limitado a la textura del cabello y estilo de cabello de modo protector. Los estilos de cabellos de modo protector; lo que incluye, pero no está limitado a trenzas, rizos y enroscados)
- RELIGIÓN (incluye vestimenta religiosa y costumbres de acicalamiento)
- SEXO/GÉNERO (incluye embarazo, parto, lactando y/o condiciones médicas relacionadas)
- ORIENTACIÓN SEXUAL

LA LEY DE EMPLEO Y VIVIENDA JUSTA EN EL ESTADO DE CALIFORNIA (SECCIONES DEL CÓDIGO GUBERNAMENTAL 12900 AL 12996) Y LAS REGULACIONES DE EJECUCIÓN (CÓDIGO DE REULACIONES DEL ESTADO DE CALIFORNIA, TÍTULO 2, SECCIONES 11000 AL 11141):

1. Prohíbe el acoso de empleados, solicitantes, los que hacen una pasantía sin recibir sueldo, voluntarios, y contratistas independientes, ni por cualquier persona, y requiere que los empleadores tomen las medidas necesarias para prevenir el acoso. Esto incluye la prohibición en contra del acoso sexual, acoso por género, acoso sobre la base de estado de embarazo, parto, lactando y/o otras condiciones médicas relacionadas, al igual que acoso basado en todas las características de lo antedicho.
2. Requerir que todos los empleadores provean información a cada uno de sus empleados sobre la naturaleza, lo ilegal, y los remedios legales que corresponden al acoso sexual. Los empleadores pueden desarrollar sus propias publicaciones, mientras que cumplan con las normas establecidas en la Sección 12950 del Código Gubernamental del Estado de California, o utilizar material del DFEH.
3. Requerir a los empleadores con 5 o más empleados y en todas las entidades públicas a proveer cursos de capacitación para todos los empleados, en lo relacionado a la prevención de acoso sexual, incluso el acoso basado sobre la identidad de género, expresión de género, y orientación sexual.
4. Prohibir a los empleadores que limiten o prohíban el uso de cualquier otro idioma en el lugar de trabajo, salvo que se justifique por necesidad de negocio. El empleador tiene que avisar a los empleados de la restricción de idioma y las consecuencias por la falta de cumplimiento. También prohibir a los empleadores de la discriminación en contra de algún solicitante o empleado porque tiene licencia de conducir emitida a personas que no pueden probar su presencia en Estados Unidos, autorizada bajo la ley federal
5. Requerir a los empleadores para que brinden la acomodación razonable a un empleado, al que está haciendo una pasantía sin sueldo, o al solicitante de empleo por sus creencias y prácticas religiosas, incluso en la vestimenta o si llevan alguna prenda religiosa o artefacto, los estilos del cabello, vello facial o corporal, lo cual es parte del cumplimiento individual de sus creencias religiosas.
6. Requerir a los empleadores para que provean acomodación razonable a los solicitantes de empleo que tienen discapacidades para poder facilitarle a que puedan desempeñar los deberes esenciales del empleo.
7. Permitir a los solicitantes, a los que están haciendo una pasantía sin sueldo, a los voluntarios y a los empleados para que puedan presentar querellas ante el DFEH, en contra de algún empleador, agencia de empleo, o sindicato obrero que no cumpla con otorgar la igualdad de empleo, conforme lo requiere la ley.
8. Prohibir la discriminación sobre la base de protección, en contra de cualquier solicitante de empleo, del que está haciendo una pasantía sin sueldo, del empleado al aceptarlo para ascenso, asignaciones, terminación, o por cualquier término, condición, o privilegio de empleo.
9. Requerir que los empleadores, agencias de empleo, y sindicatos de obreros para que conserven las solicitudes, récord de personal, los expedientes de referidos para el empleo, por un período de cuatro años.
10. Requerir que los empleadores provean licencias hasta de cuatro meses para empleados con discapacidades debido a embarazo, parto o condición médica relacionada.
11. Requerir a un empleador que provea acomodación razonable, conforme lo solicite algún empleado, por el consejo de su proveedor de cuidado de la salud, en lo relacionado con el embarazo, parto o condición médica relacionada.
12. Requiere que los empleadores que tienen cinco (5) o más personas empleadas, a permitir que los empleados elegibles tomen hasta 12 semanas de licencia dentro de un período de 12 meses, para cuidar su propia condición de salud seria; para cuidar de algún hijo de cualquier edad*, cónyuge, pareja, madre/padre**, abuelos, nietos, o hermanos con alguna condición seria de la salud, para poder crear vínculo con cualquier recién nacido (sea por nacimiento, adopción o por hogar de crianza) o por ciertas exigencias militares.

13. Requerir a las agencias de empleo a servir a los solicitantes de manera equitativa, rechazar órdenes de trabajo que son discriminatorias, y prohibir a los empleadores y agencias de empleo a que hagan indagaciones discriminatorias en el proceso de ante de empleo, o publicar anuncios de busca de ayuda que expresan preferencia de empleo de manera discriminatoria.
14. Prohibir a los sindicatos a que discriminen al aceptar miembros o al enviar miembros a los trabajos.
15. Prohibir la represalia en contra de alguna persona que se opone, presenta informe, o ayuda a otra persona a que se oponga a la discriminación ilegal.

PRESENTAR ALGUNA QUERELLA

La ley provee remedios para las personas que reciben la experiencia de la discriminación prohibida, acoso, o represalia en el trabajo. Estos remedios incluyen el contratar al alguien, paga por adelantado, paga atrasada, ascenso, reinstalación, mandatos para cesar alguna actividad, honorarios por testigos peritos, costas y honorarios razonables de abogado, daños punitivos, y daños emocionales por secuestro de bienes.

Los solicitantes de trabajo, los que cumplen con alguna pasantía sin sueldo, y empleados: Si usted se siente que ha sido discriminado, acosado o recibido represalia, usted puede presentar querella ante el DFEH. Si usted se siente que ha sido acosado, también puede presentar querella ante el DFEH.

Puede presentar su querella dentro de tres años desde el ultimo acto de discriminación/acoso/reposalia. Para las víctimas que son menores de dieciocho años, a no más tardar de tres años desde el último acto de discriminación/acoso/reposalia o un año después de que la víctima cumpla sus dieciocho años, lo que sea más tarde.

Si se siente que ha sido sujeto a discriminación, acoso, o represalia en el trabajo, o se le ha negado indebidamente la licencia médica o para atender a su familia, presente querella ante el DFEH.

PARA PRESENTAR QUERELLA

Department of Fair Employment and Housing

dfeh.ca.gov

Llamada libre de cargos: 800.884.1684 • TTY: 800.700.2320

Si usted tiene alguna discapacidad que requiere alguna acomodación razonable, el DFEH le puede ayudar con su querella. Comuníquese con nosotros por cualquiera de los medios en lo antedicho, o para personas con impedimentos de audio o del habla, comuníquese por medio del California Relay Service (711).

DFEH está comprometido a proveer acceso a nuestros materiales en un formato alternativo, como acomodación razonable para las personas con discapacidades, cuando se solicite.

La Sección 12950 del Código Gubernamental y el Título 2, Sección 11013 del Código de Regulaciones del Estado de California, requiere que todos los empleadores publiquen este documento. Tiene que colocarlo en lugares bien visibles en las oficinas de contratación de empleados, en los tablones de anuncios para los empleados, en las salas de espera de las agencias de empleo, en las salas de las oficinas de los sindicatos laborales, y en otros lugares donde los empleados se reúnen. Cualquier empleador cuya fuerza laboral consta de más de 10% de personas que no hablan inglés, en cualquiera de los establecimientos, tiene que publicar este aviso en el correspondiente idioma o idiomas.

* "Hijo/a" quiere decir que es hijo/a biológico, adoptado, o de crianza, un hijastro, pupilo legal, o hijo/a del empleado o de la pareja del empleado, o persona por quien el empleado ocupa el puesto de "loco parentis".

** "Madre/Padre" incluye la madre/padre biológico, de crianza o adoptive, los suegros, padrastro/madrastra, tutor legal, o cualquier otra persona que ocupó el lugar de "loco parentis": cuando el empleado era un niño/a.

OFFICIAL NOTICE



California Minimum Wage

MW-2022

EFFECTIVE DATE	Employers with 25 or Fewer Employees*	Employers with 26 or More Employees *
January 1, 2022	\$14.00	\$15.00
January 1, 2023	\$15.00	\$15.00

**PREVIOUS
YEAR**

January 1, 2021	\$13.00	\$14.00
-----------------	---------	---------

*Employees treated as employed by a single qualified taxpayer pursuant to Revenue and Taxation Code section 23626 are treated as employees of that single taxpayer. To employers and representatives of persons working in industries and occupations in the State of California:

SUMMARY OF ACTIONS

TAKE NOTICE that on April 4, 2016, the Governor of California signed legislation passed by the California Legislature, raising the minimum wage for all industries. (SB 3, Stats of 2016, amending section 1182.12. of the California Labor Code.) Pursuant to its authority under Labor Code section 1182.13, the Department of Industrial Relations amends and republishes Sections 2, 3, and 5 of the General Minimum Wage Order, MW-2019. Section 1, Applicability, and Section 4, Separability, have not been changed. Consistent with this enactment, amendments are made to the minimum wage, and the meals and lodging credits sections of all of the IWC's industry and occupation orders.

This summary must be made available to employees in accordance with the IWC's wage orders. Copies of the full text of the amended wage orders may be obtained by downloading online at <https://www.dir.ca.gov/iwc/WageOrderIndustries.htm> or by contacting your local Division of Labor Standards Enforcement office.

1. APPLICABILITY

The provisions of this Order shall not apply to outside salespersons and individuals who are the parent, spouse, or children of the employer previously contained in this Order and the IWC's industry and occupation orders. Exceptions and modifications provided by statute or in Section 1, Applicability, and in other sections of the IWC's industry and occupation orders may be used where any such provisions are enforceable and applicable to the employer.

2. MINIMUM WAGES

Every employer shall pay to each employee wages not less than those stated above, on each effective date, per hour for all hours worked.

3. MEALS AND LODGING CREDITS - TABLE

When credit for meals or lodging is used to meet part of the employer's minimum wage obligation, the amounts so credited pursuant to a voluntary written agreement may not be more than the following

EFFECTIVE:	JANUARY 1, 2020		JANUARY 1, 2021		JANUARY 1, 2022		JANUARY 1, 2023
For an employer who employs: LODGING	26 or More Employees	25 or Fewer Employees	26 or More Employees	25 or Fewer Employees	26 or More Employees	25 or Fewer Employees	All Employers regardless of number of Employees
Room occupied alone	\$61.13 /week	\$56.43 /week	\$65.83 /week	\$61.13 /week	\$70.53 /week	\$65.83 /week	\$70.53 /week
Room shared	\$50.46 /week	\$46.58 /week	\$54.34 /week	\$50.46 /week	\$58.22 /week	\$54.34 /week	\$58.22 /week
Apartment – two thirds (2/3) of the ordinary rental value, and in no event more than:	\$734.21 /month	\$677.75 /month	\$790.67 /month	\$734.21 /month	\$847.12 /month	\$790.67 /month	\$847.12 /month
Where a couple are both employed by the employer, two thirds (2/3) of the ordinary rental value, and in no event more than:	\$1086.07 /month	\$1002.56 /month	\$1169.59 /month	\$1086.07 /month	\$1253.10 /month	\$1169.59 /month	\$1253.10 /month
MEALS							
Breakfast	\$4.70	\$4.34	\$5.06	\$4.70	\$5.42	\$5.06	\$5.42
Lunch	\$6.47	\$5.97	\$6.97	\$6.47	\$7.47	\$6.97	\$7.47
Dinner	\$8.68	\$8.01	\$9.35	\$8.68	\$10.02	\$9.35	\$10.02

Meals or lodging may not be credited against the minimum wage without a voluntary written agreement between the employer and the employee. When credit for meals or lodging is used to meet part of the employer's minimum wage obligation, the amounts so credited may not be more than the amounts stated in the table above.

4. SEPARABILITY

If the application of any provision of this Order, or any section, subsection, subdivision, sentence, clause, phrase, word or portion of this Order should be held invalid, unconstitutional, unauthorized, or prohibited by statute, the remaining provisions thereof shall not be affected thereby, but shall continue to be given full force and effect as if the part so held invalid or unconstitutional had not been included herein.

5. AMENDED PROVISIONS

This Order amends the minimum wage and meals and lodging credits in MW-2019, as well as in the IWC's industry and occupation orders. (See Orders 1-15, Secs. 4 and 10; and Order 16, Secs. 4 and 9.) This Order makes no other changes to the IWC's industry and occupation orders.

These Amendments to the Wage Orders shall be in effect as of January 1, 2021.

Questions about enforcement should be directed to the Labor Commissioner's Office. For the address and telephone number of the office nearest you, information can be found on the internet at www.dir.ca.gov/DLSE/dlse.html or under a search for "California Labor Commissioner's Office" on the internet or any other directory. The Labor Commissioner has offices in the following cities: Bakersfield, El Centro, Fresno, Long Beach, Los Angeles, Oakland, Redding, Sacramento, Salinas, San Bernardino, San Diego, San Francisco, San Jose, Santa Ana, Santa Barbara, Santa Rosa, Stockton, and Van Nuys.



Modifica la Orden
de Sueldo Mínimo
General y las
Órdenes de
Industria y
Ocupación de IWC

Notificación Oficial

Sueldo Mínimo de California

SM-2022

A PARTIR DEL	Empleadores con 25 o menos empleados *	Empleadores con 26 o más empleados *
1 de enero de 2022	\$14.00	\$15.00
1 de enero de 2023	\$15.00	\$15.00

**Año
anterior**

1 de enero de 2021	\$13.00	\$14.00
---------------------------	----------------	----------------

*Los trabajadores a los cuales se considere empleados de un empleador único a los efectos del pago de impuestos según el Código tributario y de Rentas Públicas, artículo 23626 son considerados empleados de ese contribuyente único. A los empleadores y representantes de personas que trabajan en industrias y ocupaciones en el estado de California:

RESUMEN DE ACCIONES

DESE POR NOTIFICADO que el 4 de abril de 2016, el Gobernador de California el gobernador firmó legislación aprobada por la Legislatura de California que incrementa el salario mínimo para todas las industrias. (SB 3, Estatutos de 2016, que modifica el artículo 1182.12 del Código Laboral de California.) Acorde con la autoridad que le otorga el artículo 1182.13, el Departamento de Relaciones Industriales modifica y publica nuevamente los artículos 2, 3, y 5 de la Orden de Salario Mínimo General, MW-2014. El artículo 1: Aplicación, y el artículo 4: Divisibilidad, no se han cambiado. En conformidad con ésta promulgación, se enmiendan los artículos sobre salario mínimo y sobre créditos por alimentos y alojamiento de todas las órdenes de industria y ocupación de IWC.

Este resumen debe ser puesto a disposición de los empleados acorde a las órdenes sobre salarios de IWC. Se pueden obtener copias del texto completo de las órdenes de salario enmendadas descargándolas en línea en <https://www.dir.ca.gov/iwc/WageOrderIndustries.htm> o comunicándose con la oficina local del Comisionado Laboral (DLSE por sus siglas en inglés) que corresponde a su domicilio.

(1) ÁMBITO DE APLICACIÓN

Las disposiciones de ésta Orden no serán de aplicación a vendedores externos o a individuos que sean los padres, cónyuges o hijos del empleador previamente mencionado en ésta Orden y las órdenes de industria y ocupación de IWC. Las excepciones y modificaciones dispuestas por ley o en el artículo 1: Aplicación, o en otros artículos de las órdenes de industria y ocupación de IWC pueden ser utilizadas siempre que dichas disposiciones sean exigibles y aplicables al empleador.

(2) SALARIOS MÍNIMOS

Cada empleador deberá pagar a cada empleado un salario mínimo acorde con lo que se consigna en la tabla que figura arriba a partir del día de entrada en vigencia.

(3) ALIMENTOS Y ALOJAMIENTO - TABLA

Cuando se utilicen créditos por alimentos o alojamiento para cumplir con parte de la obligación del empleador de pagar salarios mínimos, los montos acreditados acorde con un acuerdo voluntario escrito no pueden sobrepasar los siguientes:

A PARTIR DEL:	1 de enero de 2020		1 de enero de 2021		1 de enero de 2022		1 de enero de 2023
Para un empleador que emplee: ALOJAMIENTO	26 o más Empleados	25 o menos Empleados	26 o más Empleados	25 o menos Empleados	26 o más Empleados	25 o menos Empleados	Todos los empleadores, independientemente del número de empleados
Habitación ocupada	\$61.13 /semana	\$56.43 /semana	\$65.83 /semana	\$61.13 /semana	\$70.53 /semana	\$65.83 /semana	\$70.53 /semana
Habitación compartida	\$50.46 /semana	\$46.58 /semana	\$54.34 /semana	\$50.46 /semana	\$58.22 /semana	\$54.34 /semana	\$58.22 /semana
Apartamento-dos tercios (2/3) del valor normal de alquiler, y en ningún caso más de..	\$734.21 /mes	\$677.75 /mes	\$790.67 /mes	\$734.21 /mes	\$847.12 /mes	\$790.67 /mes	\$847.12 /mes
Cuando las dos personas de una pareja trabajan para el empleador, dos tercios del valor del alquiler normal y en ningún caso más de	\$1086.07 /mes	\$1002.56 /mes	\$1169.59 /mes	\$1086.07 /mes	\$1253.10 /mes	\$1169.59 /mes	\$1253.10 /mes
ALIMENTOS							
Desayuno	\$4.70	\$4.34	\$5.06	\$4.70	\$5.42	\$5.06	\$5.42
Almuerzo	\$6.47	\$5.97	\$6.97	\$6.47	\$7.47	\$6.97	\$7.47
Cena	\$8.68	\$8.01	\$9.35	\$8.68	\$10.02	\$9.35	\$10.02

Los alimentos y el alojamiento no pueden ser computados como parte del salario mínimo sin un acuerdo voluntario por escrito entre el empleador y el empleado. Cuando un crédito por alimentos y alojamiento se utilice para cumplir con parte de la obligación del empleador de pagar salarios mínimos, los montos acreditados no pueden superar los montos que constan en la tabla de arriba.

(4) DIVISIBILIDAD

Si la aplicación de cualquier disposición de esta Orden, o cualquier artículo, inciso, subdivisión, oración, cláusula, frase, palabra o parte de esta Orden fuera declarada inválida, inconstitucional, no autorizada o prohibida por ley, las disposiciones restantes de la misma no se verán afectadas por dicha circunstancia y continuarán teniendo plena vigencia y efecto como si la parte declarada inválida o inconstitucional no hubiese sido aquí incluida.

(5) DISPOSICIONES MODIFICADAS

Esta orden modifica el salario mínimo y los créditos por alimentos y alojamiento de MW-2017, así como de las órdenes de industria y ocupación de IWC. (Véanse Órdenes 1-15, Arts. 4 y 10; y Órdenes 16, Arts. 4 y 9.) Esta orden no hace ningún otro cambio a las órdenes de industria y ocupación de IWC.

Estas modificaciones a las Órdenes sobre Salario entrarán en vigencia a partir del 1 de enero de 2021.

Toda pregunta sobre cumplimiento debe ser dirigida a la Oficina del Comisionado Laboral. Para obtener la dirección y el número de teléfono de la oficina más cercana a su domicilio, puede encontrar información en la siguiente dirección electrónica: <http://www.dir.ca.gov/DLSE/dlse.html> o por medio de una búsqueda en cualquier índice o en internet ingresando "Oficina del Comisionado Laboral de California". El Comisionado Laboral tiene oficinas en las siguientes ciudades: Bakersfield, El Centro, Fresno, Long Beach, Los Angeles, Oakland, Redding, Sacramento, Salinas, San Bernardino, San Diego, San Francisco, San José, Santa Ana, Santa Bárbara, Santa Rosa, Stockton, y Van Nuys.

THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING



DFEH
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING
STATE OF CALIFORNIA

YOUR EMPLOYER* HAS AN OBLIGATION TO:

- Reasonably accommodate your medical needs related to pregnancy, childbirth, or related conditions (such as temporarily modifying your work duties, providing you with a stool or chair, or allowing more frequent breaks);
- Transfer you to a less strenuous or hazardous position (if one is available) or duties if medically needed because of your pregnancy;
- Provide you with pregnancy disability leave (PDL) of up to four months (the working days you normally would work in one-third of a year or 17 1/3 weeks) and return you to your same job when you are no longer disabled by your pregnancy or, in certain instances, to a comparable job. Taking PDL, however, does not protect you from non-leave related employment actions, such as a layoff;
- Provide a reasonable amount of break time and use of a room or other location in close proximity to the employee's work area to express breast milk in private as set forth in the Labor Code; and
- Never discriminate, harass, or retaliate on the basis of pregnancy.

FOR PREGNANCY DISABILITY LEAVE:

- PDL is not for an automatic period of time, but for the period of time that you are disabled by pregnancy, childbirth, or related medical condition. Your health care provider determines how much time you will need.
- Once your employer has been informed that you need to take PDL, your employer must guarantee in writing that you can return to work in your same or a comparable position if you request a written guarantee. Your employer may require you to submit written medical certification from your health care provider substantiating the need for your leave.
- PDL may include, but is not limited to, additional or more frequent breaks, time for prenatal or postnatal medical appointments, and doctor-ordered bed rest, and covers conditions such as severe morning sickness, gestational diabetes, pregnancy-induced hyper-tension, preeclampsia, recovery from childbirth or loss or end of pregnancy, and/or post-partum depression.
- PDL does not need to be taken all at once but can be taken on an as-needed basis as required by your health care provider, including intermittent leave or a reduced work schedule.
- Your leave will be paid or unpaid depending on your employer's policy for other medical leaves. You may also be eligible for state disability insurance or Paid Family Leave (PFL), administered by the California Employment Development Department.
- At your discretion, you can use any vacation or other paid time off during your PDL.
- Your employer may require or you may choose to use any available sick leave during your PDL.
- Your employer is required to continue your group health coverage during your PDL at the same level and under the same conditions that coverage would have been provided if you had continued in employment continuously for the duration of your leave.
- Taking PDL may impact certain of your benefits and your seniority date; please contact your employer for details.

NOTICE OBLIGATIONS AS AN EMPLOYEE:

- Give your employer reasonable notice. To receive reasonable accommodation, obtain a transfer, or take PDL, you must give your employer sufficient notice for your employer to make appropriate plans. Sufficient notice means 30 days advance notice if the need for the reasonable accommodation, transfer, or PDL is foreseeable, or as soon as practicable if the need is an emergency or unforeseeable.
- Provide a written medical certification from your health care provider. Except in a medical emergency where there is no time to obtain it, your employer may require you to supply a written medical certification from your health care provider of the medical need for your reasonable accommodation, transfer or PDL. If the need is an emergency or unforeseeable, you must provide this certification within the time frame your employer requests, unless it is not practicable for you to do so under the circumstances despite your diligent, good faith efforts. Your employer must provide at least 15 calendar days for you to submit the certification. See if your employer has a copy of a medical certification form to give to your health care provider to complete.
- Please note that if you fail to give your employer reasonable advance notice or, if your employer requires it, written medical certification of your medical need, your employer may be justified in delaying your reasonable accommodation, transfer, or PDL.

ADDITIONAL LEAVE UNDER THE CALIFORNIA FAMILY RIGHTS ACT (CFRA):

Under the California Family Rights Act (CFRA), if you have more than 12 months of service with an employer, and have worked at least 1,250 hours in the 12-month period before the date you want to begin your leave, you may have a right to a family care or medical leave (CFRA leave). This leave may be up to 12 workweeks in a 12-month period for the birth, adoption, or foster care placement of your child**, or for your own serious health condition or that of your child, parent***, spouse, domestic partner, grandparent, grandchild, or sibling. Employers may pay their employees while taking CFRA leave, but employers are not required to do so, unless the employee is taking accrued paid time-off while on CFRA leave. Employees taking CFRA leave may be eligible for California's Paid Family Leave (PFL) program, which is administered by the Employment Development Department (EDD).

If you have been subjected to discrimination, harassment, or retaliation at work, or have been improperly denied PDL or CFRA leave, file a complaint with DFEH.

TO FILE A COMPLAINT

Department of Fair Employment and Housing

dfeh.ca.gov
Toll Free: 800.884.1684
TTY: 800.700.2320

If you have a disability that requires a reasonable accommodation, DFEH can assist you with your complaint. Contact us through any method above or, for individuals who are deaf or hard of hearing or have speech disabilities, through the California Relay Service (711).

*PDL, CFRA leave, and anti-discrimination protections apply to employers of 5 or more employees; anti-harassment protections apply to employers of 1 or more.
** "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of an employee or the employee's domestic partner, or a person to whom the employee stands in loco parentis.
*** "Parent" includes a biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child.

FAMILY CARE & MEDICAL LEAVE & PREGNANCY DISABILITY LEAVE



Under California law, you may have the right to take job-protected leave to care for your own serious health condition or a family member with a serious health condition, or to bond with a new child (via birth, adoption, or foster care). California law also requires employers to provide job-protected leave and accommodations to employees who are disabled by pregnancy, childbirth, or a related medical condition.

Under the California Family Rights Act of 1993 (CFRA), if you have more than 12 months of service with us and have worked at least 1,250 hours in the 12-month period before the date you want to begin your leave, and if we employ five or more employees, you may have a right to a family care or medical leave (CFRA leave). This leave may be up to 12 workweeks in a 12-month period for the birth, adoption, or foster care placement of your child or for your own serious health condition or that of your child, parent, parent-in-law, grandparent, sibling, spouse, or domestic partner. While the law provides only unpaid leave, employees may choose or employers may require use of accrued paid leave while taking CFRA leave under certain circumstances.

Even if you are not eligible for CFRA leave, if you are disabled by pregnancy, childbirth or a related medical condition, you are entitled to take a pregnancy disability leave of up to four months, depending on your period(s) of actual disability. If you are CFRA-eligible, you have certain rights to take BOTH a pregnancy disability leave and a CFRA leave for reason of the birth of your child. Both leaves contain a guarantee of reinstatement for pregnancy disability it is to the same position and for CFRA it is to the same or a comparable position-at the end of the leave, subject to any defense allowed under the law.

If possible, you must provide at least 30 days' advance notice for foreseeable events (such as the expected birth of a child or a planned medical treatment for yourself or of a family member). For events that are unforeseeable, we need you to notify us, at least verbally, as soon as you learn of the need for the leave. Failure to comply with these notice rules is grounds for, and may result in, deferral of the requested leave until you comply with this notice policy.

DFEH
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING
STATE OF CALIFORNIA

THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING
THE MISSION OF THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING IS TO PROTECT THE PEOPLE OF CALIFORNIA FROM UNLAWFUL DISCRIMINATION IN EMPLOYMENT, HOUSING, BUSINESS ESTABLISHMENTS, AND STATE-FUNDED PROGRAMS AND ACTIVITIES, AND FROM HATE VIOLENCE AND HUMAN TRAFFICKING.

We may require certification from your health care provider before allowing you a leave for pregnancy disability or for your own serious health condition. We also may require certification from the health care provider of your family member who has a serious health condition, before allowing you a leave to take care of that family member. When medically necessary, leave may be taken on an intermittent or reduced work schedule.

If you are taking a leave for the birth, adoption, or foster care placement of a child, the basic minimum duration of the leave is two weeks, and you must conclude the leave within one year of the birth or placement for adoption or foster care.

Taking a family care or pregnancy disability leave may impact certain of your benefits and your seniority date. If you want more information regarding your eligibility for a leave and/or the impact of the leave on your seniority and benefits, please contact your employer.

If you have been subjected to discrimination, harassment, or retaliation at work, or have been improperly denied PDL or CFRA leave, file a complaint with DFEH.

TO FILE A COMPLAINT

Department of Fair Employment and Housing

dfeh.ca.gov
Toll Free: 800.884.1684
TTY: 800.700.2320

If you have a disability that requires a reasonable accommodation, DFEH can assist you with your complaint. Contact us through any method above or, for individuals who are deaf or hard of hearing or have speech disabilities, through the California Relay Service (711).

EL DEPARTAMENTO DE IGUALDAD EN EL EMPLEO Y LA VIVIENDA

The Department of Fair Employment and Housing



SUS DERECHOS Y OBLIGACIONES COMO EMPLEADA EMBARAZADA

SU EMPLEADOR* TIENE LA OBLIGACIÓN DE:

- Hacer las adaptaciones razonables a sus necesidades médicas relacionadas con el embarazo, el parto u otras condiciones relacionadas (como modificar por un tiempo las tareas laborales, darle un taburete o una silla, o permitir descansos más frecuentes);
- Cambiarla a un puesto (si lo hubiere) o a tareas menos agotadoras o peligrosas, si fuera médicaamente necesario debido al embarazo;
- Darle licencia de incapacidad por maternidad (pregnancy disability leave, PDL) de hasta cuatro meses (los días laborables en los que normalmente trabajaría durante un tercio de año o 17 1/3 semanas) y reincorporarla al puesto cuando ya no esté incapacitada por embarazo o, en ciertos casos, a un puesto equivalente. Sin embargo, tomar una PDL no la protege de medidas laborales no relacionadas con la licencia, como un despido.
- Darle una cantidad de tiempo razonable para descansar y una habitación u otro lugar cercano al área de trabajo (de la empleada) para extraerse leche en privado, como se establece en el Código de Trabajo; y
- Nunca discriminaria, acosarla ni tomar represalias por motivos del embarazo.

LICENCIA DE INCAPACIDAD POR MATERNIDAD:

- La PDL no es por un período de tiempo automático, sino por el período de tiempo que usted esté incapacitada por embarazo, parto o condición médica relacionada. Su proveedor de atención médica determinará la cantidad de tiempo que necesitará.
- Una vez que se haya avisado a su empleador de que usted necesita tomar una PDL, el empleador debe garantizar por escrito que usted puede reincorporarse al trabajo en el mismo puesto o en uno comparable, si usted pide una garantía por escrito. El empleador puede pedirle que presente un certificado médico por escrito de su proveedor de atención médica que justifique la necesidad de licencia.
- La PDL puede incluir, entre otros, más descansos o más frecuentes, tiempo para citas médicas prenatales o posnatales y reposo en cama ordenado por el médico, y cubre condiciones como náuseas matutinas graves, diabetes gestacional, hipertensión inducida por el embarazo, preeclampsia, recuperación de un parto, o pérdida o finalización del embarazo, o depresión posparto.
- No es necesario que la PDL se tome toda a la vez, pero se puede tomar según se necesite, como lo considere necesario su proveedor de atención médica, incluyendo una licencia intermitente o un horario de trabajo reducido.
- La licencia se pagará o no, dependiendo de la política de su empleador para otras licencias médicas. También puede ser elegible para el seguro estatal por incapacidad o la licencia pagada, por asuntos familiares (Paid Family Leave, PFL), administrados por el Departamento de Desarrollo del Empleo de California (California Employment Development Department).
- Según le parezca, puede usar cualquier período de vacaciones u otro tiempo de descanso pagado durante la PDL.
- El empleador puede pedirle que utilice la licencia por enfermedad disponible durante la PDL, o usted puede optar por usarla.
- El empleador debe continuar la cobertura médica colectiva durante la PDL, al mismo nivel y en las mismas condiciones en las que se hubiera dado la cobertura si usted hubiera seguido trabajando con continuidad el tiempo que dure su licencia.
- Es posible que tomar la PDL afecte algunos de sus beneficios y su fecha de antigüedad; comuníquese con su empleador para obtener más información.

* Las protecciones de PDL, licencia de CFRA y contra la discriminación se aplican a empleadores de 5 o más empleados; las protecciones contra el acoso se aplican a empleadores de 1 o más personas.

** "Hijo" incluye un hijo biológico, adoptado, de crianza temporal, un hijastro, un pupilo legal, o un hijo de un empleado o de la pareja de hecho del empleado, o una persona ante quien el empleado está en loco parentis.

*** "Padre" incluye un padre biológico, de crianza temporal o adoptivo, un suegro, un padrastro, un tutor legal u otra persona que estuvo in loco parentis para el empleado cuando el empleado era un niño.



OBLIGACIONES DE AVISO COMO EMPLEADA:

- Dar al empleador avisos razonables. Para poder recibir adaptaciones razonables, obtener un traslado o tomar la PDL, debe avisar al empleador con tiempo suficiente para que haga los planes adecuados. Aviso con tiempo suficiente son 30 días de antelación, si la necesidad de adaptaciones razonables, traslado o PDL es previsible; si no, tan pronto como sea posible, si la necesidad es una emergencia o un imprevisto.
- Dar un certificado médico por escrito de su proveedor de atención médica. Con excepción de una emergencia médica en la que no haya tiempo para obtenerlo, su empleador puede exigirle que presente un certificado médico por escrito de su proveedor de atención médica sobre la necesidad médica de adaptación razonable, traslado o PDL. Si la necesidad es una emergencia o un imprevisto, debe presentar este certificado dentro del período que pida el empleador, a menos que no sea posible hacerlo dadas las circunstancias, a pesar de sus esfuerzos diligentes y de buena fe. El empleador debe darle al menos 15 días corridos para presentar el certificado. Vea si su empleador tiene una copia de un formulario de certificado médico para entregarlo a su proveedor de atención médica y que lo complete.
- Tenga en cuenta que si no entrega el aviso anticipado razonable al empleador (o si el empleador lo exige, un certificado médico por escrito de la necesidad médica), el empleador puede tener justificación para retrasar la adaptación razonable, el traslado o la PDL.

OTRA LICENCIA MÁS SEGÚN LA LEY DE DERECHOS DE LA FAMILIA DE CALIFORNIA (CFRA):

Según la Ley de derechos de la familia de California (CFRA), si tiene más de 12 meses de servicio con un empleador y ha trabajado al menos 1,250 horas en el período de 12 meses antes de la fecha en que quiere comenzar la licencia, es posible que tenga derecho a una licencia médica o para cuidado de la familia (licencia de CFRA). Esta licencia puede durar hasta 12 semanas laborables en un período de 12 meses por el nacimiento, la adopción o la crianza temporal de su hijo**, o debido a una condición médica grave que tenga usted, su hijo, padre***, cónyuge, pareja de hecho, abuelo, nieto o hermano. Los empleadores pueden pagar a sus empleados mientras se toman la licencia de CFRA, pero los empleadores no están obligados a hacerlo, a menos que el empleado esté tomando tiempo libre pagado acumulado durante la licencia de CFRA. Los empleados que toman la licencia de CFRA pueden ser elegibles para el programa de Licencia por asuntos familiares pagada (PFL) de California, que administra el Departamento de Desarrollo del Empleo (EDD).

Si fue objeto de discriminación, acoso o represalias en el trabajo, o se le negó de manera indebida la licencia de PDL o CFRA, presente una queja ante el DFEH.

PARA PRESENTAR UNA QUEJA

Departamento de Igualdad en el Empleo y la Vivienda

dfeh.ca.gov

Llamada sin costo: 800.884.1684

TTY: 800.700.2320

Si usted tiene una discapacidad que necesita una adaptación razonable, el DFEH puede ayudarla con su queja. Comuníquese con nosotros por cualquier medio mencionado arriba; las personas sordas, con problemas de audición o discapacidades del habla pueden comunicarse mediante el Servicio de Retransmisión de California (711).

LICENCIA DE CUIDADO FAMILIAR Y MÉDICA Y LICENCIA DE INCAPACIDAD POR EMBARAZO



DEPARTAMENTO DE LA IGUALDAD EN EL EMPLEO Y LA VIVIENDA
LA MISIÓN DEL DEPARTAMENTO DE EMPLEO Y VIVIENDA JUSTOS (DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING) ES PROTEGER AL PUEBLO DE CALIFORNIA DE LA DISCRIMINACIÓN ILEGAL CON RESPECTO AL TRABAJO, LA VIVIENDA, LAS INSTITUCIONES PÚBLICAS Y LOS PROGRAMAS Y ACTIVIDADES ESTATALES, ASÍ COMO DE LOS ACTOS DE VIOLENCIA Y LA TRATA DE PERSONAS.

De ser posible, debe notificar con al menos 30 días de anticipación los eventos previsibles (como el nacimiento previsto de un bebé o un tratamiento médico planificado propio o de un familiar). Para eventos que son imprevisibles, necesitamos que notifique, al menos verbalmente, tan pronto como sepa sobre la necesidad de una licencia. El incumplimiento de estas reglas de notificación contribuye y puede ocasionar el aplazamiento de la licencia solicitada hasta que cumpla con esta política de notificación.

Es posible que le pidamos un certificado de su proveedor de atención médica para darle una licencia de discapacidad por embarazo o por condición médica personal grave. Es posible que le pidamos un certificado del proveedor de atención médica de su familiar que tiene una condición médica grave antes de darle una licencia para cuidar de ese familiar. Cuando sea necesario por razones médicas, la licencia puede tomarse en un horario de trabajo intermitente o reducido.

Si está tomando una licencia para el nacimiento, la adopción o la colocación en crianza temporal del bebé, la duración mínima básica de la licencia es de dos semanas y debe terminar la licencia dentro del período de un año después del nacimiento, la adopción o la colocación en crianza temporal.

Tomar la licencia de cuidado familiar o incapacidad por embarazo puede afectar ciertos beneficios y la fecha de antigüedad. Si quiere obtener más información sobre la elegibilidad para una licencia o el efecto de esta en la antigüedad y los beneficios, comuníquese con su empleador.

Si fue objeto de discriminación, acoso o represalias en el trabajo, o se le negó de manera indebida la licencia de PDL o CFRA, presente una queja ante el DFEH.

PARA PRESENTAR UNA QUEJA

Departamento de Igualdad en el Empleo y la Vivienda

dfeh.ca.gov

Llamada sin costo: 800.884.1684

TTY: 800.700.2320

Si usted tiene una discapacidad que necesita una adaptación razonable, el DFEH puede ayudarla con su queja. Comuníquese con nosotros por cualquier medio mencionado arriba; las personas sordas, con problemas de audición o discapacidades del habla pueden comunicarse mediante el Servicio de Retransmisión de California (711).