

# Know the Law About the Right to Take Time Off Work

## to Volunteer in School or Child Care, or in Child Care Emergencies

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Parents, guardians, stepparents, foster parents, grandparents with custody of a child, and other caregivers of a child who **work for an employer with 25 or more** employees have the right to **take up to 40 hours off from work each year to:**<sup>1</sup>

1. Participate in their child's child care or school activities.
2. Evaluate child care and schools, and enroll their child.<sup>2</sup>
3. Attend to their child during a school emergency, which includes when:
  - a. the child care or school asks that the child be picked up,
  - b. the child has a behavioral or discipline problem,
  - c. the child care or school has closed, or the child care provider cannot care for the child without warning,
  - d. a natural disaster, including, but not limited to, a fire, earthquake, or flood occurs.<sup>3</sup>

All employees can earn at least three paid sick days per year. Employees can use their paid sick days:

4. Because he/she was a victim of domestic violence, sexual assault, or stalking.
5. For the diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee or the employee's child, parent, spouse, domestic, grandparent, grandchild, and sibling.<sup>4</sup>

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Employees who have more than three sick days per year may use **at least half of their extra sick days for the above family members and reasons in (5).**<sup>5</sup> Employees fired, demoted, or in any other manner discriminated against as a result of exercising his/her right to take time off under (1)-(5), are entitled to legal remedies.<sup>6</sup>

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<sup>1</sup> CAL. LAB. CODE § 230.8.

<sup>2</sup> Employees must give their employer reasonable notice for (1) and (2). Employees may also need to provide documentation of their absence to their employer upon request for (1) and (2). CAL. LAB. CODE § 230.8.

<sup>3</sup> CAL. LAB. CODE § 230.8.

<sup>4</sup> CAL. LAB. CODE § 246.5(a)(employee rights (4) – (5)).

<sup>5</sup> CAL. LAB. CODE § 233(a).

<sup>6</sup> CAL. LAB. CODE § 230.8.

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