

# California Law Update

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## NEW LEAVE LAW FOR CALIFORNIA EMPLOYEES

Effective immediately, California employers with 25 or more employees must allow an employee with a spouse on leave from active military duty to take up to ten (10) days of unpaid time off if their spouse is on leave from deployment during a military conflict. The California legislature adopted this urgency statute “to serve the family of those troops currently serving in military conflicts in Iraq and Afghanistan.”

- To be eligible for the ten (10) days of unpaid leave, the following rules apply:
- The employee must work at least 20 hours on average per week;
- The employee must have a spouse in the U.S. military on leave from deployment to a combat zone, or the National Guard or Reserves on leave from deployment during a period of military conflict;
- The employee must notify their employer about their intent to take time off within two (2) days of receiving official notice about their spouse’s leave; and,
- The employee must submit documentation to certify that their spouse will be on leave from deployment during their time off, if requested.

In addition to providing a new leave obligation for California employers leave, the new law also provides the employee with a potential retaliation claim. The new law prevents an employer from retaliating against an employee for requesting or taking military spouse leave.

Whenever a new law is passed that impacts employee’s rights, employers would be wise to educate their workforce, especially their managers and supervisors, so that employee’s rights are honored. Employers with questions about employee leave rights should consider contacting an experienced employment attorney.

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