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# Job-Protected Leave & Benefits When a Child Joins Your Family (and you didn't give birth!)

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**FIRSTSHIFT**

JUSTICE PROJECT

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# ABOUT FIRST SHIFT

First Shift Justice Project empowers workers in low-wage jobs to exercise their rights related to caregiving and parenting.

We provide free services to workers in the DMV, ranging from one-time consultations to full representation.



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# Job-Protected Leave & Monetary Benefits for Parents Not Recovering from Birth

KEY



How are parents eligible?

TAKEAWAYS



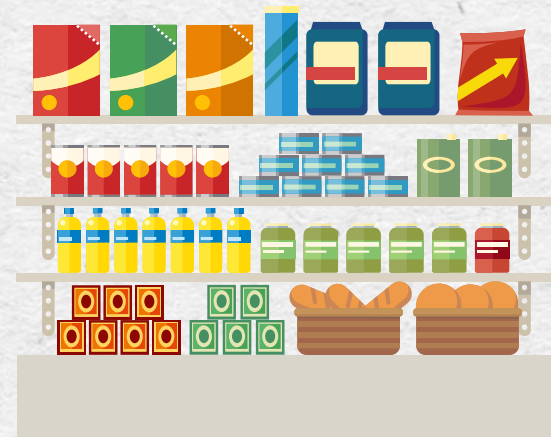
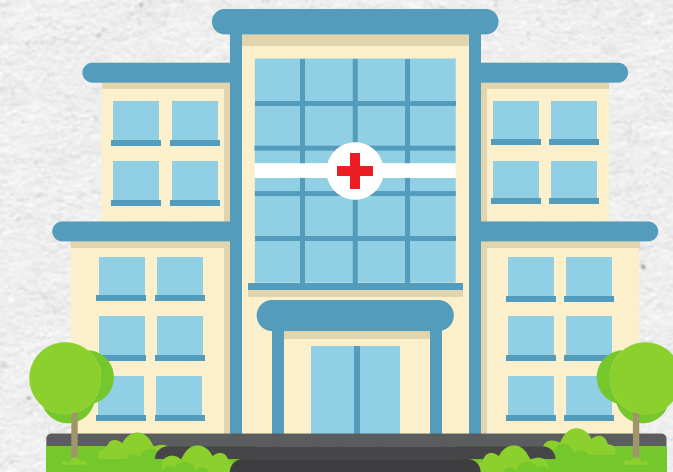
What is job-protected leave?



How can you receive benefits?

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# The Rights of D.C. Workers



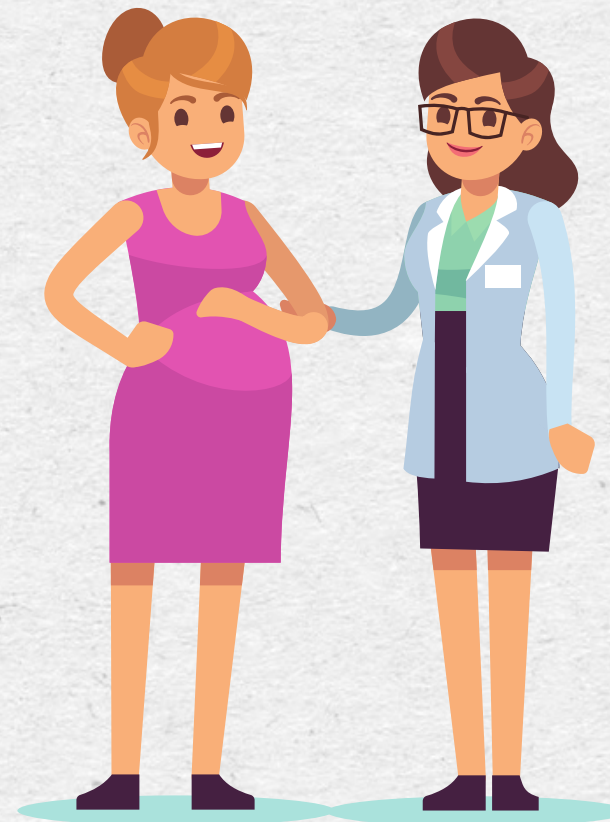
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# When a child joins your family (and you weren't the person who gave birth)



Your partner  
gives birth

Adoption



Gestational  
Surrogacy

Foster Care



Kinship Care

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# WORKERS NEED BOTH



**JOB-PROTECTED  
LEAVE**



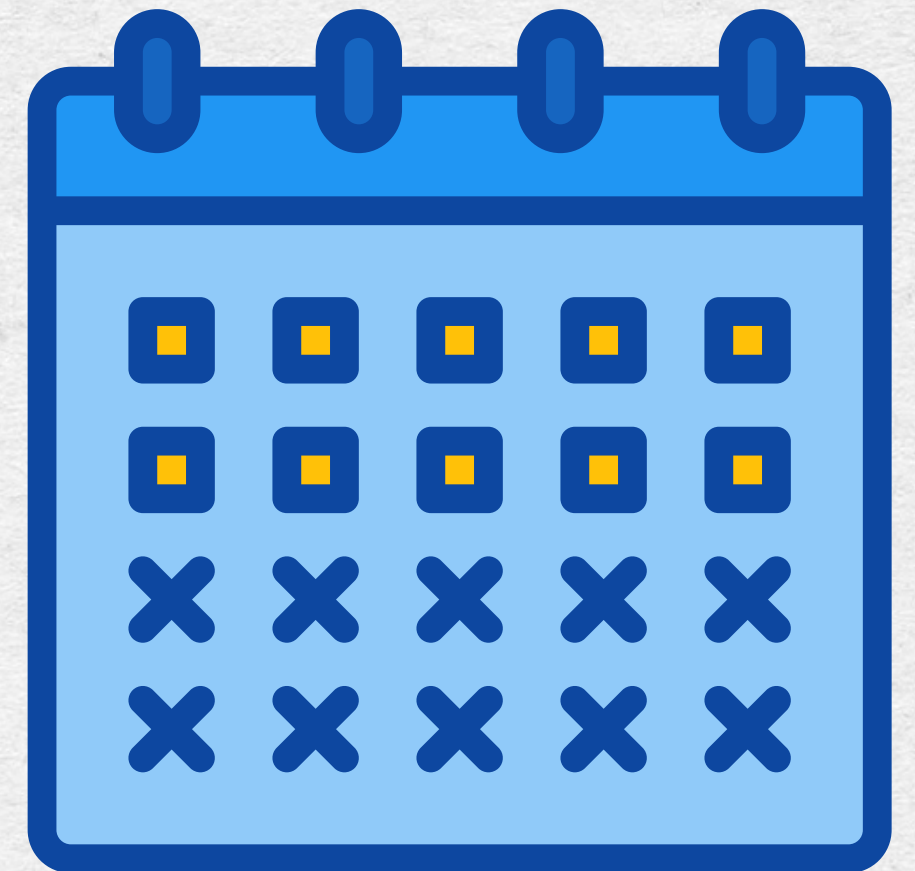
**PAID FAMILY  
LEAVE BENEFITS**

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# How are you eligible for JOB-PROTECTED LEAVE?

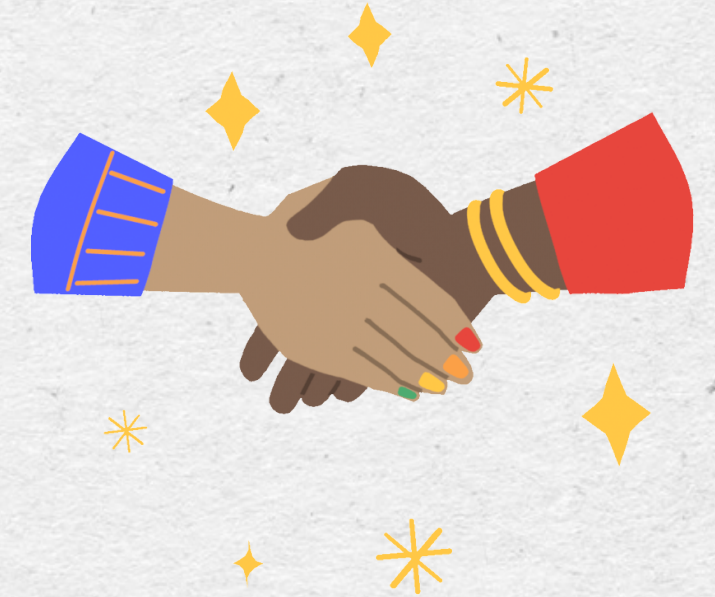
Federal Family Medical Leave Act (FMLA)

D.C. Family Medical Leave Act (FMLA)



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# How are you eligible for JOB-PROTECTED LEAVE?



## Federal FMLA

12+ months of work  
~24 hrs/wk (1,250 hrs/yr)  
50+ employees  
**=12 weeks unpaid leave  
every year**

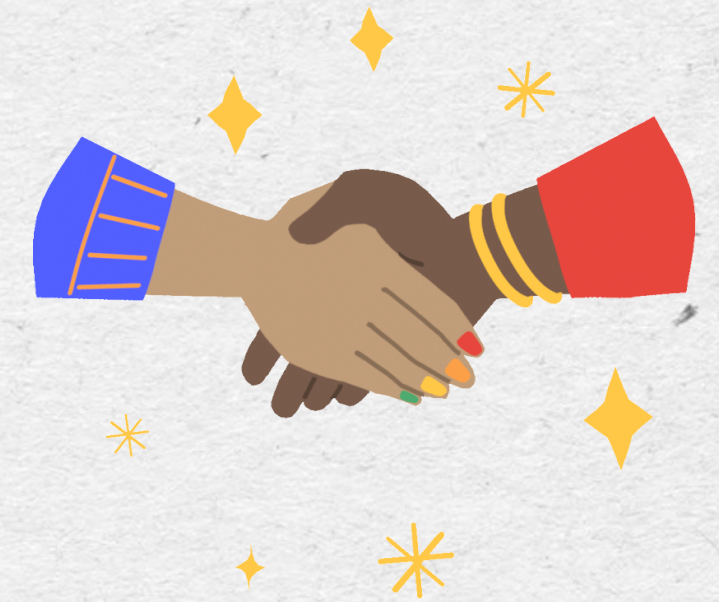
## D.C. FMLA

12+ months of work  
~19 hrs/wk (1,000/yr)  
20+ employees  
**=16 weeks unpaid leave  
every 2 years**



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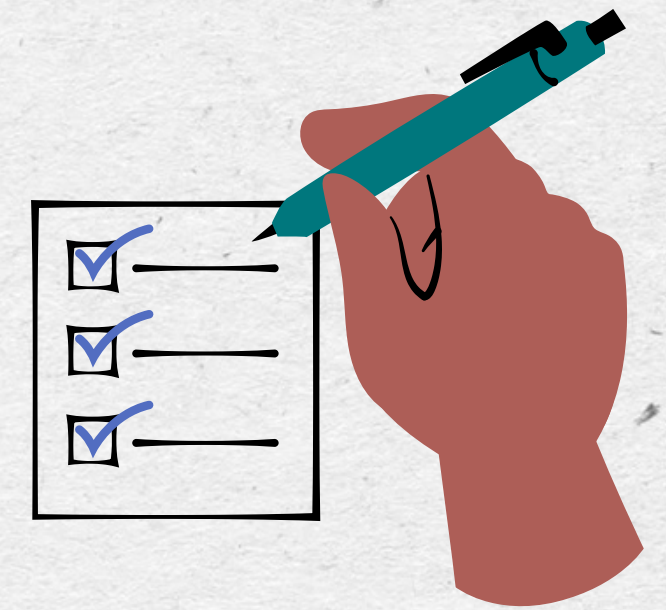
# How are you eligible for JOB-PROTECTED LEAVE?



- How are you related to the child you are caring for?
- When did your child join your family?
- How long have you been working for your employer?
- How many people work for your employer?
- For how long do you plan to miss work?
- Have you taken this type of leave in the past few years?

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# How do you request JOB-PROTECTED LEAVE?



- Notify your employer at least 30 days before you miss work or as soon as possible.
- You should estimate the dates during which you will miss work.
- Sometimes employers are willing to negotiate a part-time or reduced schedule.
- You might need to complete forms for your employer.

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# How are you eligible for MONETARY BENEFITS?

D.C. law

Paid Family Leave Benefits

Employer benefits

Sick time, Vacation time, PTO



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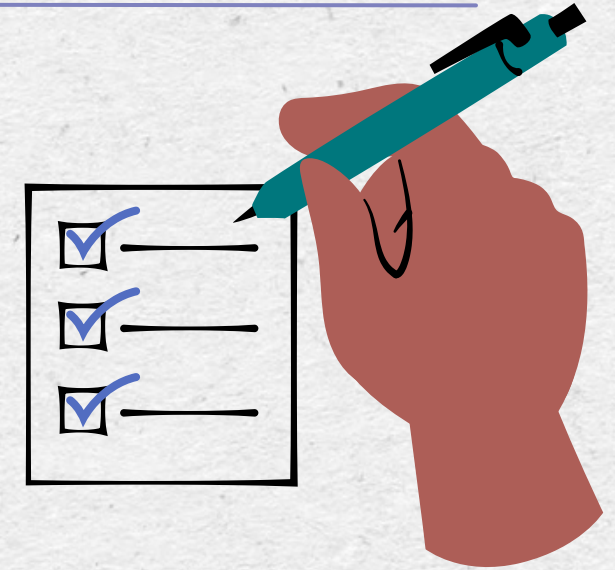
# How are you eligible for D.C. Paid Family Leave BENEFITS?

- How are you related to the child you are caring for?
- When did your child join your family?
- For how long do you plan to miss work?
- How long have you worked in D.C.?
- How many hours per week do you work in D.C.?
- How long have you received your current salary?
- Have you received paid family leave benefits before?



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# How do you apply for D.C. Paid Family Leave **BENEFITS?**



- Tell your employer at least 10 days before missing work or as soon as you can.
- Complete application through the D.C. Office of Paid Family Leave portal.
- When you apply, you need proof of a new child in your family.
- Your employer must provide you information about paid family leave benefits, but the D.C. government decides if you receive benefits and in what amount.
- You can combine benefits from the D.C. government and your employer.
- Apply to the D.C. government's Office of Paid Family Leave **AFTER** you have a reason to miss work and **BEFORE** you take time off.

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# D.C. Paid Family Leave Benefit Payments

- You will receive benefits about 1-4 weeks after you miss work and apply for benefits.
- Benefits may replace up to 90% of your salary.
- Payment schedule is every other week.
- Benefits are paid by direct deposit into your bank account or through a pre-paid debit card.



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# You have choices!



Immediately  
after birth

Within first  
12 months



Many weeks  
straight

A few days  
a week



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# WORKERS NEED BOTH



**JOB-PROTECTED  
LEAVE**



**PAID FAMILY  
LEAVE BENEFITS**



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# QUESTIONS?

## CONTACT FIRST SHIFT!

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(202) 644-9043

[www.firstshift.org/get-legal-help](http://www.firstshift.org/get-legal-help)



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