



LEGAL UPDATE CALIFORNIA

California Family Rights Act to Cover Care for Parents-in-Law

Effective Jan. 1, 2022, employers subject to the [California Family Rights Act](#) (CFRA) must allow eligible employees to take leave under the act to care for a parent-in-law with a serious medical condition. The [amendment](#) expanding CFRA leave to cover parents-in-law also makes changes to the act's mediation program for small employers. It was signed on Sept. 27, 2021.

The CFRA

The CFRA requires employers with **five or more employees** to provide eligible employees with up to **12 weeks of unpaid** family care and medical leave annually. Leave may be taken for specific reasons relating to the health and care of the employee and their family members, including the serious health condition of the employee's parent.

Expanded Definition

The amendment added "parent-in-law" to the CFRA's definition of "parent," which also includes biological, ~~foster~~ or adoptive parents; stepparents; legal guardians; or other persons who stood in loco parentis to the employee when the employee was a child.

"Parent-in-law" was further defined in the amendment to mean the parent of a spouse or domestic partner.

Mediation Program Changes

The CFRA charges the California Department of Fair Employment and Housing with creating a pilot mediation program for alleged violations of the act by employers with between five and 19 employees. The amendments to the CFRA make procedural changes to the program, including new notification requirements employees and the Department must meet before pursuing civil action.

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Highlights

Expanded Coverage

Effective Jan. 1, 2022, the CFRA will require employers to allow leave for employees to care for a parent-in-law with a serious medical condition.

Mediation

The changes also make procedural amendments to the pilot mediation program outlined in the CFRA for small employers.

***"Parent-in-law" is
defined as the parent
of a spouse or
partner.***