

### 3.5 Bereavement Policy--Change to Employee Handbook

#### Background:

California's new bereavement leave law, which became effective beginning January 1, 2023, requires most employers to allow their employees to take up to five days of leave upon the death of certain family members. Although previous bills providing for bereavement leave had been stymied by vetoes, Governor Gavin Newsom signed the new legislation—Assembly Bill (“AB”) 1949—into law as an “important step” to ensure that low-wage workers “can access the time off they’ve earned while still providing for their family.” The new law makes California one of the few states requiring employers to provide bereavement leave.

The law amends the California Family Rights Act (“CFRA”) to provide additional and separate leave from that already offered to employees for serious illness or to provide care for others with serious illness. The law applies to employers with five or more employees, and employees who have been employed at least 30 days prior to the commencement of leave. A qualifying family member includes a spouse, child, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law. An employee may take the five days of bereavement leave consecutively or intermittently. However, the leave must be completed within three months of the date of death of the family member. There is no annual cap on the number of days an employee is able to take leave pursuant to the law, meaning an employee can take up to five days of bereavement leave per occurrence.

#### Current Language

##### 2. Bereavement Leave

In the event of the death of an immediate member of an employee's family, CAFE will grant a three-day paid leave, to be arranged with the employee's supervisor. Upon request by the CEO, the employee shall provide additional verification for authorization of this leave.

The following are considered immediate family members:

- mother or stepmother • brother
- mother-in-law • brother-in-law
- father or stepfather • sister
- father-in-law • sister-in-law
- spouse • children or stepchildren
- domestic partner • foster children

In the event of the death of a member of an employee's extended family, CABA will grant an emergency one-day paid leave, to be arranged with the employee's supervisor. The following are considered extended family members:

- grandmother • grandchildren
- grandfather • any other relative of employee
- son-in-law • any other relative of spouse or
- daughter-in-law domestic partner

### **Proposed New Language**

In the event of the death of an immediate member of an employee's family, CABA will grant up to five days paid leave, to be arranged with the employee's supervisor. An employee may take the five days of bereavement leave consecutively or intermittently. However, the leave must be completed within three months of the date of death of the family member. There is no annual cap on the number of days an employee is able to take leave pursuant to the law, meaning an employee can take up to five days of bereavement leave per occurrence. Upon request by the CEO, the employee shall provide additional verification for authorization of this leave.

The following are considered immediate family members:

- mother or stepmother
- father or stepfather
- sibling
- parent-in-law
- brother-in-law
- sister-in-law
- spouse
- domestic partner
- children or stepchildren
- foster children
- grandparent
- grandchild

In the event of the death of a member of an employee's extended family, CABA will grant an emergency one-day paid leave, to be arranged with the employee's supervisor. The following are considered extended family members:

- son-in-law
- daughter-in-law
- any other relative of employee
- any other relative of spouse

**Commented [1]:** I have an ASK-- Can CAGE consider adding a son-in-law & daughter-in-law as immediate family members?