

## Services for Victims of Domestic Violence Abuse

Individuals who are unemployed or unable to work due to domestic violence abuse may be eligible for monetary benefits from the Employment Development Department (EDD) through the Unemployment Insurance (UI) or State Disability Insurance (SDI) programs. These programs provide temporary payments to workers to ensure that some of life's necessities can be met during periods of unemployment.

The UI and SDI programs have different eligibility requirements. Benefits cannot be collected from both programs at the same time. The following provides information on each program:

### UNEMPLOYMENT INSURANCE PROGRAM

The Unemployment Insurance program, commonly referred to as UI, provides weekly benefit payments for workers who lose their jobs through no fault of their own. Benefit payments are financed by employers who pay taxes on wages paid to each of their workers.

#### *UI Benefits and Eligibility Requirements*

Benefit payments range from \$40 to \$450 per week for up to 26 weeks, and are based on workers' past earnings.

Workers must have worked and earned a minimum amount of wages within the past 18 months to establish a claim.

Once a claim is established, to meet the legal requirements to be *eligible* to receive benefits, claimants must be unemployed from their last job through no fault of their own.

Eligibility for benefits also requires that claimants be able to work, available for work, seeking work, and willing to accept a suitable job when offered.

#### *UI Eligibility for Victims of Domestic Violence Abuse*

Workers who quit their jobs may be eligible for UI benefits if there was "good cause" for doing so. Under the law, good cause exists for leaving work if the reason for leaving is "real, substantial, and compelling and would cause a reasonable person genuinely desirous of retaining employment to leave work under the same circumstances." The EDD must make a determination of good cause and eligibility on a case-by-case basis.

In California, the law provides that victims of domestic

families from domestic violence abuse may have good cause for leaving that job, provided the EDD finds that all reasonable steps were taken to keep the job, such as requesting a transfer, leave of absence, or other workplace accommodation.

During the eligibility process, individuals should be prepared to describe their efforts to preserve employment, as well as provide whatever proof that an act or threat of domestic violence abuse occurred. Employers will also be asked to verify employees' reasons for leaving and attempts to remain employed. While victims of domestic violence may be hesitant to discuss the specifics of their separation from work, the EDD must ask questions to determine good cause for quitting a job due to domestic circumstances. The EDD maintains customer confidentiality at all times.

Claimants must also meet all other eligibility requirements, including being physically able to work and available for work, actively seeking work, and ready to accept work. An individual who is not eligible for UI benefits because they are sick or injured, caring for an ill family member, or bonding with a new child, may file a claim with California's SDI program.

### STATE DISABILITY INSURANCE PROGRAM

The SDI program is a partial, short-term wage replacement insurance program for most California workers. SDI benefits are funded through state-mandated employee payroll deductions. Workers covered by SDI are covered by two benefits, Disability Insurance (DI) and Paid Family Leave (PFL). Workers who do not pay into SDI, such as independent contractors or the self-employed, may elect coverage through Disability Insurance Elective Coverage (DIEC).

Workers must have earned at least \$300 of wages subject to SDI payroll withholdings within the 5 to 18 month period prior to the start of their disability or family leave in order to establish a valid claim.

### DISABILITY INSURANCE

Disability Insurance, commonly referred to as DI, provides short-term benefits to eligible workers who have a full or partial loss of wages due to a non-work-related illness or injury, pregnancy, or childbirth.

## ***DI Benefits and Eligibility Requirements***

DI benefits provide approximately 60 to 70 percent of an individual's past wages and are payable for up to 52 weeks. To be eligible for DI benefits, individuals must be employed or actively looking for work at the time they become disabled and must be unable to do their customary work for at least eight consecutive days. In addition, the disability must be certified by a physician/practitioner. The EDD may require an independent medical examination to determine eligibility for benefits.

## **PAID FAMILY LEAVE**

Paid Family Leave, commonly referred to as PFL, provides benefits to individuals who take time off work to:

- Bond with a new child (entering the family through birth, adoption, or foster care placement).
- Care for a seriously ill family member (child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner).
- Participate in a qualifying event resulting from a family member's (spouse, registered domestic partner, parent, or child) military deployment to a foreign country.

## ***PFL Benefits and Eligibility Requirements***

PFL benefits provide approximately 60 to 70 percent of an individual's past wages and are payable for up to eight weeks in a 12-month period.

Individuals must supply medical certification if providing care for a family member, proof of relationship documentation to support a claim for bonding with a new child, or documentation of the qualifying event and supporting military documentation for a military assist claim.

Employers may require that workers use up to two weeks of unused vacation leave prior to the initial receipt of benefits.

Note: Immigration and citizenship status do not affect eligibility for DI or PFL claims.

## **WORKFORCES SERVICES**

In addition to the UI and SDI benefit programs, the EDD also offers a range of employment and training services in partnership with state and local organizations. These services are provided statewide through the America's Job Center of California<sup>SM</sup> (AJCC) network at no cost. Services include an initial assessment of skill levels to assist in identifying appropriate employment and training options, resources and supportive services, assistance with resumes and job applications, interview skills workshops, and other job search and placement assistance. To help you find the nearest AJCC, visit [EDD Office Locator](http://edd.ca.gov/Office_Locator/) (edd.ca.gov/Office\_Locator/).

## **CalJOBS<sup>SM</sup>**

CalJOBS<sup>SM</sup> is California's online resource to help job seekers navigate the EDD's workforce services. The system allows you to easily search for jobs, build resumes, access career resources, and gather information on education and training programs. Visit [CalJOBS](http://caljobs.ca.gov) (caljobs.ca.gov) to start your job search.

## **FOR MORE INFORMATION**

For additional information on UI, visit [Unemployment Insurance](http://edd.ca.gov/unemployment/) (edd.ca.gov/unemployment/). For more information on the SDI programs or DIEC, visit [State Disability Insurance](http://edd.ca.gov/disability/) (edd.ca.gov/disability/). To learn about other employment and training services offered by EDD, please visit the [EDD](http://edd.ca.gov) (edd.ca.gov).