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Title 22@ Social Security

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Division 1@ Employment Development Department

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Subdivision 1@ Director of Employment Development

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Division 1@ Unemployment and Disability Compensation

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Part 2@ Disability Compensation

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Chapter 7@ Family Temporary Disability Insurance

3301(a)-1 Family Temporary Disability Insurance - Right to Benefits

Section 3301(a)-1@ Family Temporary Disability Insurance - Right to Benefits

The right to benefits pursuant to Division 1, Part 2, Chapter 7 (commencing with Section 3300) of the code does not provide leave rights or any form of job protection.

EXAMPLE 1. Claimant A works for a small business with 15 employees. Claimant A notifies his employer that he will be unable to report to work due to the need to provide care for his seriously ill parent. He advises the employer that he will claim Family Temporary Disability Insurance benefits. The employer informs Claimant A that he cannot guarantee a position with the company will be available when Claimant A returns.

Claimant A establishes a claim for Family Temporary Disability Insurance benefits and receives three weeks of benefits. Claimant A returns to work and is informed by his employer that a position with the company is not available. Although Claimant A received Family Temporary Disability Insurance benefits, his employer was not obligated to retain him as an employee with the company.