

Can a family caregiver be an IHSS Provider and get CA Paid Family Leave?

What family caregivers need to know

This guide gives information about an option that allows family caregivers to get CA Paid Family Leave while also being paid to care for a family member using In-Home Supportive Services (IHSS) benefit. CA Paid Family Leave provides pay for up to 8 weeks in a 12-month period. It can be used by caregivers who want to work fewer hours or stop working for a while to provide care to a family member.

How do I qualify for CA Paid Family Leave?

- 1) *To get CA Paid Family Leave you must have paid into CA's SDI fund at any time in the last 5 to 18 months **and** earned at least \$300 in the last 18 months.* Look at your paystubs to see if you have "CA SDI" or a similar deduction listed on it.
- 2) *To get CA Paid Family Leave you must be a caregiver for an immediate family member with a serious health condition requiring assistance.* That means you must be taking care of your child, parent, parent-in-law, grandparent, grandchild, sibling, spouse (husband/wife), or registered domestic partner with a serious health condition (people approved to get IHSS have a serious health condition).
- 3) *To get CA Paid Family Leave you must be missing wages, including working fewer hours due to caregiving, or need to take time off work for a while to provide care.*
You don't need to stop working completely to qualify ([learn more here](#)). You can also qualify if you are actively looking for work when your CA Paid Family Leave starts.

Can I get Paid Family Leave while working as an IHSS caregiver?

Yes. IHSS caregivers who have paid into the CA SDI fund (see above) can use CA Paid Family Leave if they're working fewer (or no) hours to provide care for a family member.

Example: Grace works a full-time job and pays into SDI. Her mom has a health crisis, and Grace would like to take time off work to care for her. Grace takes leave from her regular job to care for her mom as an IHSS caregiver. She also gets Paid Family Leave, because Grace isn't making as much money as an IHSS caregiver as she did working her full-time job.



How much will I get paid if I take CA Paid Family Leave while working as an IHSS provider?

CA Paid Family Leave has a limit on how much you can be paid from any source. If you apply for CA Paid Family Leave the money that you earn while on leave must be reported, including money earned from IHSS.

Example I: Grace usually gets paid \$1,000 each week and has for the last 18 months. Based on her paychecks, Grace's "weekly benefit amount" from Paid Family Leave would be about \$800.

When Grace starts working as her mom's IHSS caregiver, she earns \$600 a week from IHSS. Paid Family Leave will only pay as much as she typically earns, so her leave check won't be for the full \$800 per week. Instead, she gets \$400 from Paid Family Leave in addition to the \$600 per week she earns from IHSS. Grace is now paid \$1,000 a week, just like before she took leave.

Example II: Grace's brother, David, also wants to provide care for mom. He plans to work fewer hours and split time caregiving with Grace. When he applies for CA Paid Family Leave, they calculate his leave based on his usual full-time schedule where he earned \$1,500 per week. His estimated weekly benefit amount from Paid Family Leave is \$1,074.

David earns \$600 per week from IHSS and \$750 from his main job (\$1,350 total). He will also get \$150 each week from CA Paid Family Leave. David is now paid \$1,500 a week, just like before he took part-time leave. *If you are interested in taking part-time leave, like David, see our [Guide](#).*

Can I take CA Paid Family Leave even if I'm not sure I will return to my job?

Yes. It is okay if you don't know whether you will be able to return yet. To learn more about job protections and the rules that apply, learn more [here](#).



Being an IHSS provider is my only job, can I get CA Paid Family Leave?

It depends. You can only get CA Paid Family Leave if you pay into CA SDI in the last 18 months. **IHSS providers can sign up (opt-in) for the CA SDI fund.** Contact us for help understanding your options.

Need Help?

[WorkLife Law](#)'s helpline attorneys give free and private legal information to caregivers who need help with leave and work issues.

Email hotline@worklifelaw.org or leave a message at 415-703-8276.