

California to Expand Bereavement Leave and Paid Family Leave

California has enacted bills expanding employee bereavement leave to cover the death of an employee's "designated person" and broadening the types of military service that constitute a qualified exigency for paid family leave (PFL).

The change to bereavement leave takes effect **Jan. 1, 2027**, while the change to PFL becomes effective when PFL is included in the Employment Development Department's (EDD) claims management system, or **July 1, 2028**—whichever comes first.

Bereavement Leave Expansion

The California Fair Employment and Housing Act requires employers with at least five employees to provide bereavement leave for the death of an employee's family member. The leave may last for five days; employees are eligible only if they have worked for their employer for at least 30 days.

The requirement was [amended](#) Sept. 27, 2026 (effective Jan. 1, 2027), to expand the definition of "family member" to include a person designated by the employee. The designated person must be related to the employee by blood or an association equivalent to a family relationship, and they may be identified by the employee when the employee requests the leave. Employers may limit employees to one designated person per 12-month period.

The change aligns with previous changes made to the state paid sick leave law and PFL program that added care of designated persons as a qualifying reason for leave or benefits. The change to the paid sick leave law is currently in effect, and the PFL change takes effect July 1, 2028.

Bereavement leave may be unpaid in the absence of an existing policy, but employees are authorized to use any paid leave available to them. Employers may require documentation of the death of the family member.

PFL Expansion

California PFL is part of the state's disability insurance program, providing up to eight weeks of partial pay per year to employees who take time off for specified family reasons, including a qualifying exigency related to the covered active duty or call to covered active duty of the employee's family member in the U.S. military. The law currently defines "covered active duty" to mean deployment to a foreign country.

Highlights

California recently passed changes to employee bereavement leave and PFL benefits. The changes expand employees' existing entitlements as follows:

- Effective Jan. 1, 2027, bereavement leave will be allowed following the death of a person designated by the employee; and
- PFL benefits for a military exigency will be permitted for certain active duty within the United States, effective no later than July 1, 2028.

The [amendment](#), signed by Gov. Gavin Newsom on Sept. 28, 2026, changes the definition of “covered active duty” to include duty during training, deployment other than deployment to a foreign country, and, for members of the Reserves, a call or order to state active duty.

Next Steps for Employers

Employers are advised to update their policies and practices to include the expansion to bereavement leave by Jan. 1, 2027. Employers should also watch for information from the EDD indicating PFL has been added to its claims system as part of the [EDDNext](#) project.
