



**Equal
Rights
Advocates**

Since 1974, Fighting for Women's Equality

September 17, 2010

Governor Arnold Schwarzenegger
California State Capitol
State Capitol Building
Sacramento, CA 95814

Re: AB 2340 (Monning) - SUPPORT

Dear Governor Schwarzenegger:

Equal Rights Advocates offers its strong support of AB 2340 (Monning), which was passed by the Legislature on August 23rd and now awaits your signature. AB 2340 would amend the Labor Code to allow employees to take up to three days of unpaid leave following the death of a spouse, child, parent, sibling, grandparent, grandchild, domestic partner or child of a domestic partner.

Equal Rights Advocates (ERA) is a non-profit law firm based in San Francisco, California that was founded over thirty five years ago to advocate on behalf of women and girls seeking equality in education and employment. We have successfully done so through impact litigation, public education, and free advice and counseling of women nationwide.

Everyone suffers the often devastating loss of a relative at some point during their life. No California employee should have to choose between their employment and grieving the loss of a loved one. Under current law, an employee is entitled to take leave in order to care for a family member under the Family Medical Leave Act and the California Family Rights Act; however, if that family member dies, the employee must immediately return to work or else risk losing her job.

There is currently no federal or state law protection for an employee to take a leave of absence to prepare or attend funeral services following the death of a family member. AB 2340 addresses this gaping hole in the family leave laws by affording employees the right to a limited bereavement leave and prohibiting employers from discharging or otherwise discriminating against employees for taking a leave.

To ensure against employee abuse, an employer may require that the employee use accrued paid time off during the bereavement leave. An employer may also require the employee to provide documentation of the death of the spouse, child, parent, sibling, grandparent, grandchild, domestic partner or child of a domestic partner.

This bill is the ultimate symbol of protecting our working families during tough times. I urge you to recognize the importance of family and grief and make the humane gesture of signing this important measure into law. Thank you for your attention to this matter.

Sincerely,



Arcelia Hurtado
Executive Director



Noreen Farrell
Managing Attorney

cc: Michael Prosio, Legislative Secretary and Deputy Chief of Staff
Aaron Maguire, Deputy Legislative Secretary