



CHIRLA

Coalition for Humane
Immigrant Rights

DURING THIS PANDEMIC DACA RECIPIENTS GET INFORMED KNOW YOUR RIGHTS



Worker's Rights and Unemployment Benefits

If you have **DACA**, you may be eligible to:

- Unemployment Insurance
- Paid Sick leave
- Worker's Compensation
- State Disability Insurance
- Paid Family and Medical Leave



[Learn more about California Unemployment benefits](#)

COVID-19 RESOURCES

Emergency Paid Sick Leave Act:

It allows full-time eligible employees up to 80 hours of paid sick leave. Part-time employees are entitled to paid sick leave based on the average number of hours the part-time employee works. In California, **employees regardless of their immigration status are entitled to paid sick leave for a minimum of 3 days.** An employee can earn a minimum of 1 hour for every 30 hours worked. For those who are self-employed, there will be a tax credit equivalent to the sick leave amount.

Who may be eligible for Paid Sick Leave?

- Employees subject to quarantine or isolation.
- Employees experiencing symptoms of COVID-19.
- Employees caring for someone who is in quarantine or isolation and/or have children in schools that have closed.

CHIRLA's mission is to
*achieve a just society fully
inclusive of immigrants.*

CHIRLA's Hotline:
1.888.624.4752





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Emergency Unemployment Insurance (UI)

It is part of the *Families First Coronavirus Response Act* and it allows eligible individuals to receive benefits ranging from \$40-\$450 per week. Depending on your maximum award for your UI claim and your weekly benefit amount paid. The number of weeks you can potentially receive benefit payments ranging from 13 to 26 weeks. California waives the one-week unpaid waiting period. You can collect UI benefits for the first week you are out of work.

Circumstances when DACA recipients may be eligible for UI:

- Hours are/were reduced due to the quarantine.
- Subject to a quarantine required by a medical professional, state or local health officer.
- Choose to stay home from work due to underlying health conditions and concerns about exposure to the virus.
- My child's school shuts down and I have to miss work (or stop actively looking for work) to care for that child who is not ill.

To receive Unemployment Insurance, DACA recipients must:

1. Have worked with a valid work permit during the time you earned the wages.
2. Have a valid work permit during the time you are claiming the benefit.

[Learn more about Unemployment Insurance](#)

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I am a DACA recipient and self-employed. Can I claim UI?

YES. You may still be eligible for Unemployment Insurance (UI) benefits under a few circumstances:

- You have contributed to UI Elective Coverage and paid the required contributions to be considered potentially eligible for benefits.
- Your past employer has made contributions on your behalf in the past 5 to 18 months.
- You may have been misclassified as an independent contractor instead of an employee.

State Disability Insurance (SDI):

Provides a short-term wage replacement benefits to eligible workers that need time off off work due to having or being exposed to COVID-19. California waives the one-week unpaid waiting period. You can collect SDI benefits for the first week you are out of work.

My DACA already expired, am I eligible for Disability Insurance?

1. You may be eligible if when checking your pay stub you find SDI insurance was deducted from your pay check.
2. You may not be eligible If you were paid cash and not given a pay stub (no deductions have been made from your wages).

The Employment Development Department (EDD) should not question your immigration status or report it, if it is somehow revealed.

[Find out if you are eligible.](#)

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Paid Family Leave (PFL):

If you need time off work because you are caring for an ill or quarantined family member (*child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner*) with COVID-19, you are encouraged to file a PFL claim which could provide up to 6 weeks of benefit payments to eligible workers who have a full or partial loss of wages (In CA will be extended to 8 weeks, starting July 1, 2020).

I am a self-employed DACA, and I am sick or caring for a sick family member. Do I qualify for Paid Family Leave benefits?

You may qualify if:

1. You, or your employer, have paid into the employment insurance programs in the past 5 to 18 months,
2. You have made contributions at a prior job,
3. You have been misclassified as an independent contractor instead of an employee.

[Learn more about your eligibility for benefits](#)

Workers' Compensation:

You may be eligible for compensation if you are not able to perform your work due to having, or being exposed to, COVID-19 at your workplace. You may be eligible for temporary disability payments or medical treatment. Employees can file a claim regardless of their immigration status.

[Find out how to file a claim](#)

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