

State Bereavement Leave Laws¹

State	Covered employer	Covered employee	Nature of Leave	Qualifying reason	Documentation required
California ²	5+ employees	worked at least 30 days	<ul style="list-style-type: none"> * up to 5 days per covered family member (no annual limit) * taken w/in 3 months of death * unpaid but can use accrued paid leave * does not count against 12 weeks of unpaid leave 	death of spouse, child, parent, sibling, grandparent, grandchild, domestic partner, parent-in-law for a reproductive loss event	Yes – death certificate, obituary, written verification, burial/memorial service, governmental agency
Illinois ³	FMLA (50+ employees within 75 mile radius)	1,250 hours of service during the prior 12 months and work within 75 mile radius of 49+ other employees	<ul style="list-style-type: none"> * maximum of 2 weeks/10 workdays to attend funeral, make arrangements, or grieve * taken within 60 days of death * up to 3 qualifying events/year (6 weeks total) * unpaid but can use accrued paid leave * does count towards 12 weeks of unpaid leave 	death of child, stepchild, parent-in-law, grandchild, grandparent, parent, step parent, domestic partner, spouse, sibling for miscarriage, unsuccessful IVF, failed adoption match, failed surrogacy, diagnosis negatively impacting pregnancy/fertility; stillbirth	Yes – death certificate, obituary “reasonable documentation” of event by healthcare provider or adoption/surrogacy agency

¹ For a general overview, see <https://evermore.org/wp-content/uploads/2023/04/Evermore-State-Bereavement-Leave-Policy-Brief.pdf> prepared by Evermore, which describes itself as “a national nonpartisan nonprofit dedicated to improving the lives of bereaved people.”

² See California Family Rights Act, CA GOVT § 12945.7. See also FAQs on Bereavement Leave by California’s Civil Rights Unit, https://calcivilrights.ca.gov/wp-content/uploads/sites/32/2023/04/Bereavement-Leave_AB-1949_FAQ_ENG.pdf.

³ See Illinois Family Bereavement Act, IL ST CH 830 §154/1 to 154/99. See also <https://labor.illinois.gov/faqs/flbafaqs.html#faq-1whatisthefamilybereavementleaveactfbla-faq>.

State	Covered employer	Covered employee	Nature of Leave	Qualifying reason	Documentation required
Maryland ⁴	15+ employees		Act allows eligible employees to use accrued leave (sick leave, vacation, comp time); no separate entitlement	Death of child (under 18 y.o. or incapable of self care due to a disability), spouse, parent, stepparent	Not applicable
Oregon ⁵	25+ employees	worked 180 days, with an average of 25 hours/week	<ul style="list-style-type: none"> * Up to two weeks/death (10 work days) to attend funeral, make arrangements, grieving * Within 60 days of death * Unpaid but employees can use accrued paid leave (employers have option to require employees to use their accrued paid leave in some cases). * Also allows use of Oregon's sick leave law (40 hours of paid sick leave/year) 	Death of spouse, domestic partner, child, parent, parent's spouse, sibling, stepsibling, grandparent, grandparent's spouse, grandchild, grandchild's spouse, & any other individual related by blood	Not applicable
Washington ⁶	All employers	All employees	<ul style="list-style-type: none"> * Up to 3 days of paid leave * Eligible employees may use family leave up to 7 days for the death of a child (see next box) * Paid leave – employee can also request to use paid accrued leave 	<p>Death of family member or household member</p> <p>Death of a child only for child for whom employee could have taken bonding leave</p>	Date of death and documentation or attestation.

⁴ See Maryland's Flexible Leave Act, MD LABOR & EMPLOY §3-801 to § 3-803. See also <https://labor.illinois.gov/faqs/flbafaqs.html#faq-1whatisthefamilybereavementleaveactfbla-faq>.

⁵ See Oregon's Family Leave Act, OR ST § 659A.150 to 659A.186 . See also <https://www.oregon.gov/boli/workers/pages/oregon-family-leave.aspx>.

⁶ See WA ST 50A.05.010. See also <https://paidleave.wa.gov/question/what-is-family-leave-for-the-loss-of-a-child/>.