

California State Disability Insurance (SDI)

What is State Disability Insurance (SDI)?

The California State Disability Insurance (SDI) program provides short-term cash benefits to eligible workers in the state of California. The SDI program is funded through California employee payroll taxes, and is run by the Employment Development Department (EDD). To be considered “disabled” under SDI, you must have a mental or physical illness or injury that prevents you from doing your regular and customary work for at least eight (8) days in a row.

Am I Eligible to Receive SDI?

If you are a worker who has lost income because you are unable to work due to a non-work related injury, illness, or pregnancy, you may be eligible to receive SDI benefits. You must file and submit your claim no later than 49 days after your disability begins.

To Be Eligible for SDI Benefits, You Must:

- Be unable to perform your normal job duties for at least 8 days in a row;
- Be employed or actively looking for work at the time your disability began;
- Be suffering a loss of wages due to your disability;
- Earned at least \$300 within the last year, from which SDI payroll taxes were taken out

Am I Eligible for SDI if I Just Started a New Job?

You may still qualify for SDI benefits even if you just started your job, because there is no specific amount of time you must be at a job before qualifying for SDI. Eligibility is based on how much money you earned during the approximately 5 to 18 months before the disability claim begins (known as your “base period”). Remember to check with your employer, however, about medical leave for new employees, since receiving SDI benefits does not guarantee that your job will be protected if you take time off.

Am I Eligible for SDI If I Have More Than One Job?

SDI pay will combine all jobs with earnings in your base period, as long as all of your employers deducted the SDI tax from your paychecks. If only one of your jobs deducted the SDI tax from your paycheck, then SDI payments will be based only on that salary.

How Much Does SDI Pay?

The amount you receive each week is calculated based on how much you earned in the past (during your base period), and is approximately 60 to 70 percent of your salary or wages (up to the maximum amount). For claims on or after January 1, 2019, weekly benefits vary from \$50 to \$1,252. You may be able to collect up to 52 weeks of full SDI benefits.

What If I get Approved for SDI and Earn Additional Income?

All income must be reported to the EDD, even though certain types of payments do not affect your benefits. Your weekly SDI benefit payment amount might be reduced because of prior Unemployment Insurance or Paid Family Leave and other instances.¹ If you do not report your income, you could face penalties and your benefits could stop.

Can I Receive SDI and Social Security Disability Insurance (SSDI) at the same time?

You can collect SDI and Social Security Disability Insurance (SSDI) at the same time. However, your SDI benefits may be reduced. Because SSDI has a 5-month waiting period, if your doctor expects your disability to last at least a year, it may be a good idea for you to apply for both SDI and SSDI at the same time to maximize your benefits.

What are Some Reasons I Would Be Ineligible to Receive SDI?

SDI eligibility is not guaranteed. You could be ineligible for SDI benefits if you²:

- Receive Unemployment Insurance (UI) or Paid Family Leave (PFL) benefits at the same time as SDI. (Remember, if you file for disability, you are claiming you are unable to work. Unemployment Insurance is for those who are willing and able to work, but cannot find work. The two benefit programs are entirely different, though both are run by the EDD).
- Receive workers' compensation benefits greater or equal to your SDI weekly benefits.
- Fail to have an independent medical exam when you are asked to do so.
- You may also be ineligible to receive SDI benefits if you do not meet the eligibility requirements necessary in order to receive SDI.

What If I am Denied SDI Benefits?

If you are found ineligible, you will receive a Notice of Determination (DE 2517) by mail along with an Appeal Form (DE1000A). You have the right to appeal any decision within 30 days of the mailing date of the notice.

What if I Start Receiving SDI Then Later Become Disqualified?

If you get SDI benefits, then become disqualified from receiving SDI benefits, you will receive a notice by mail that includes an Appeal Form (DE 1000A).

How Do I File An Appeal?

If you are found ineligible for benefits or are later disqualified, you will receive a notice and appeal form. You have the right to appeal in writing within 30 days of the mailing date on the notice.

To appeal, you can either (1) complete the appeal form or if the form is lost or misplaced, (2) send the EDD a letter explaining why you believe you should not have been disqualified. If you send a letter to EDD, make sure to include your Disability Insurance Claim Identification Number or EDD Customer Account Number, address, phone number, and your printed name and signature in the letter. The EDD will then review the information you provided in the appeal form or letter and will notify you of their decision.³

- **If EDD finds that you were eligible for benefits**, they will issue payments on your claim.

¹ These incomes must be reported to EDD, http://www.edd.ca.gov/Disability/Reporting_Your_Wages_DI.htm

² Also, you may be denied SDI benefits if you are involved in or convicted of a crime.

³ Appeals, Employment Development Department, State of California, <https://www.edd.ca.gov/disability/Appeals.htm>.

- **If EDD finds that you are still not eligible for benefits**, they will forward your appeal to the local office of the California Unemployment Insurance Appeals Board. The Board will then notify you about a hearing where an Administrative Law Judge and an impartial third party will listen to both sides of the appeal and make a final decision based on the facts you present and the facts presented by a representative of SDI.

SDI appeal information can be found at <http://www.edd.ca.gov/Disability/Appeals.htm>.

RESOURCES

For additional information about the SDI process:

Employment Development Department
1-800-480-3287
www.edd.ca.gov

For tutorials on how to apply for SDI using the EDD website, please visit:
http://www.edd.ca.gov/disability/SDI_Online_Tutorials.htm

For more frequently asked questions about SDI in California, please visit:
http://www.edd.ca.gov/Disability/FAQ_State_Disability_Insurance_Online.htm

A fact sheet about California's State Disability Insurance can be found here:
http://www.edd.ca.gov/pdf_pub_ctr/de8714c.pdf

DISCLAIMER: This publication is designed to provide general information on the topics presented. It is provided with the understanding that the author is not engaged in rendering any legal or professional services by its publication or distribution. Although these materials were reviewed by a professional, they should not be used as a substitute for professional services. CLRC has no relationship or affiliation with the referral agencies, organizations or attorneys to whom we refer individuals. Resources and referrals are provided solely for information and convenience. Therefore, CLRC disclaims any and all liability for any action taken by any entity appearing on CLRC's resource and referral lists.
