

Leave, Pay, & Accommodations for Pregnant and Birthing Workers in California*

A GUIDE FOR HEALTHCARE AND SERVICE PROVIDERS

see also our [Pregnancy + My Job Roadmap](#) designed for patients

RIGHTS FOR PREGNANT/ BIRTHING WORKERS**

GUIDANCE FOR PROVIDERS

Pregnant workers have the right to time off work to attend prenatal care appointments and for pregnancy-related symptoms.

- All employees, regardless of employer size, can earn and use up to **5 CA Paid Sick Days** each year (or more in certain cities).
- Employees can take additional **Pregnancy Disability Leave** (if employer has 5+ employees, up to 4mo total).

Employers can require a medical note if an employee requests time off (beyond 5 paid sick days) for prenatal care or pregnancy symptoms.

**SAMPLE
CERTIFICATIONS:**

Civil Rights
Department
certification
template

Legal Aid
At Work
sample
medical
note

Pregnant workers have the right to reasonable pregnancy accommodations or changes at work to maintain a healthy pregnancy.

- **Pregnancy accommodations** are specific to the patient's needs.
- Employers cannot force pregnant employees onto leave if they are still able to work.
- Employer must have 5+ employees.

Employers can require a medical note. The note should state:

- the patient is pregnant or has a pregnancy- or childbirth-related condition
- the patient needs an accommodation
- the patient's limitations
- expected duration of need for accommodation
- what the patient is still capable of doing

Do not disclose a specific diagnosis

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CERTIFICATIONS:**

Civil Rights
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note

Pregnant workers have the right to leave from work before and after they have their baby.

- Workers may take **Pregnancy Disability Leave** when they cannot work because of pregnancy or childbirth, up to 4 months total.
- Employer must continue health benefits.
- In an uncomplicated pregnancy and birth, workers can take leave 4 weeks before their due date through 6 weeks after delivery (8 weeks for a c-section).
- Employer must have 5+ employees.
- For complications, e.g. post-partum depression, workers may qualify for additional leave.

Employers can require a medical note. The note should state:

- that the patient will be unable to work due to a pregnancy and/or childbirth related health condition
- the anticipated start and end date of the leave

An additional certification may be required for disability leaves longer than 4 months.

Do not disclose a specific diagnosis

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CERTIFICATIONS:**

Civil Rights
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Most pregnant workers can get paid when they take leave from work before and after they have their baby.

- **State Disability Insurance (SDI)** provides 70-90% of income starting in 2025 (but the first week is unpaid) when workers cannot work due to their pregnancy or recovery from childbirth.
- Patients apply for SDI at edd.ca.gov

The Employment Development Department (EDD) requires a medical certification. The certification:

- states that the patient is unable to work because of their health
- asks for ICD codes and details. The certification goes to the EDD, not the patient's employer.

Providers may need to certify online using the EDD's system.

**EDD GUIDANCE
ON SDI:**

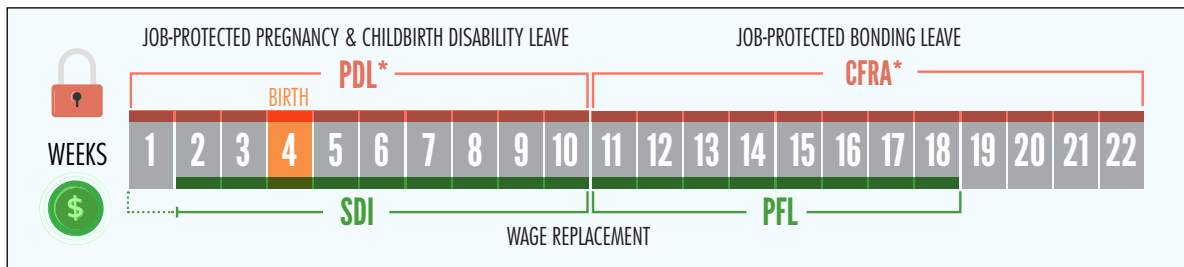
medical
certification
and list of
providers

RIGHTS FOR PREGNANT/BIRTHING WORKERS**	GUIDANCE FOR PROVIDERS
Many parents have the right to leave to bond with their baby.	
<ul style="list-style-type: none"> Parents can take 12 weeks of California Family Rights Act leave to bond with their new baby within 1yr of the birth or foster/adoptive placement. For workers who give birth, this leave is in addition to and after the up-to-4-months of leave for their own health (see above). Employer must have 5+ employees, worker must have worked for employer for 1+ year, and 1250 hours (about 25 hrs/wk) over prior year. 	<p>No medical certification is required for baby bonding leave.</p>
Most parents can get paid when they take leave to bond with their baby.	
<ul style="list-style-type: none"> Both parents can get Paid Family Leave for 8 weeks while they bond with their baby. PFL provides 70-90% income starting in 2025, and must be taken within one year of the birth or foster/adoptive placement. Parents apply for PFL income at edd.ca.gov 	<p>No medical certification is required for Paid Family Leave for baby bonding. However, the worker will need to submit proof of birth or placement to the EDD.</p>
New parents have the right to lactation accommodations at work.	
<ul style="list-style-type: none"> New parents have the right to break time to pump at work and a safe, clean, private place (not a bathroom), with access to water, electricity, and a cool place to store their milk. Retaliation/discrimination prohibited. 	<p>No medical certification is required, but it may be helpful.</p> <div style="text-align: right;"> <p>SAMPLE CERTIFICATIONS:</p> <div style="display: flex; justify-content: space-around;"> <div style="background-color: #2e8b57; color: white; border-radius: 50%; padding: 10px; text-align: center;">Civil Rights Department certification template</div> <div style="background-color: #00b0f0; color: white; border-radius: 50%; padding: 10px; text-align: center;">Legal Aid At Work sample medical note</div> </div> </div>

*Federal workers are not covered by CA laws. Their rights differ. See our factsheet [Workplace Protections for Pregnant and Parenting Federal Employees](#).

**All the rights described above apply regardless of immigration status.

Retaliation and discrimination are unlawful. If your patient faces discrimination or problems accessing these rights, they can call **Legal Aid at Work – Work and Family Helpline: 800-880-8047**. Legal support for low-wage workers is free, confidential and in multiple languages. Providers with questions can call or email: legallaidatwork.org/clinics/work-and-family-clinic/



SAMPLE TIMELINE:

- Early in Angela’s pregnancy, her provider advises frequent bathroom breaks.
- 4 weeks prior to her due date, she goes on leave for her pregnancy-related disability.
- After her baby is born, she takes 6 weeks of leave to recover.
- Her first week of leave will not be paid by State Disability Insurance, but after that she will receive SDI from the EDD until she recovers.
- She then takes 12 more weeks of leave to bond.
- During the first 8 of these 12 weeks she receives Paid Family Leave from the EDD.
- When she returns to work, she requests time and space to pump milk.
- Angela’s ob/gyn writes a note for her employer certifying her need for frequent bathroom breaks and later for pregnancy disability leave, and submits a separate medical certification to the EDD for her SDI.

LINKS TO ADDITIONAL RESOURCES AND TEMPLATE LETTERS





DISCLAIMER: Current as of 01/20/2025. The information provided in this resource does not constitute advice. All content is for general informational purposes only. Do not rely on this information without consulting an attorney or the appropriate agency about your rights in your particular situation.