

You have legal rights at work in California while pregnant, postpartum or lactating.

CHANGES AT WORK FOR SAFETY OR COMFORT

If your employer has 5 or more employees, you have the right to reasonable changes at work to stay healthy and comfortable during pregnancy, after birth or pregnancy loss, and while breastfeeding/lactating.



Examples of changes you can request:

- schedule changes
- permission to sit down or rest
- help with heavy lifting
- changes to job duties or being excused from duties to avoid hazards or dangerous work
- remote work or changed job location
- adjusted productivity metrics
- access to more breaks to eat, drink, or rest

To get these changes, tell your employer you need a “reasonable accommodation” for pregnancy.

Do I need to provide a doctor’s note?

You may need to provide a note from a healthcare provider to get some workplace changes. To learn more about when a note is required, who can write it, and what information you should share, [visit our guide](#).

CHANGES AT WORK TO SUPPORT LACTATION



You have the right to reasonable break time and a private non-bathroom space to express milk.

You can take however much time you need to pump; however, if you are not working while pumping, this time can usually be unpaid. Learn more [here](#).

Employers must offer a lactation space that:

- is close to your work area
- is private, clean, safe, and free of hazardous materials
- has a place to sit and a table or other place to hold your breast pump
- has access to electricity
- is not a bathroom

Do I need to provide a doctor’s note?

You aren’t required to give a medical note to get pumping breaks, but you can choose to give your employer a [note](#) if it makes it easier for you.

What if I need other changes for lactation?

It is common for workers to need other changes to support lactation, such as shifted hours or permission to leave during breaks to directly nurse. Those changes can be requested as reasonable accommodations.

See this section!

Discrimination is illegal. Know your rights!

It is illegal for your employer to treat you poorly because you are pregnant, postpartum, or lactating, or because you requested or received time off or changes at work! The law protects you against:

- harassment
- reduction in hours or pay
- getting assigned more difficult work
- punishment
- getting fired

PROTECTED TIME OFF WORK



Time off for your health:

The Pregnancy Disability Leave (PDL) law provides up to 4 months off - with the right to return to the same job - when you can't work because of pregnancy, childbirth, or related conditions. During this time your employer must continue providing health benefits.

You may be eligible if:

- ✓ Your employer has 5 or more employees, and
- ✓ Your healthcare provider says you need time off

Even if you don't have complications, you can take off the 4 weeks before your due date. After birth, you can take 6 weeks for a vaginal delivery or 8 weeks for a C-section to recover physically.

You may also have a right to additional time for:

- prenatal or postpartum appointments
- bed rest
- severe morning sickness
- avoiding chemicals & unsafe work
- mental health needs

You may be able to take longer than 4 months off if it isn't extremely difficult or expensive for your employer. Call our free legal helpline to learn about your options.

Time off for reproductive loss:

If you were pregnant and need time off to recover, the rights above may apply to you. In addition, either parent has the right to take 5 days off within 3 months of a miscarriage, stillbirth, or failed adoption, failed surrogacy, or unsuccessful assisted reproduction.

Time off for baby bonding:

The California Family Rights Act (CFRA) provides an additional 12 weeks of unpaid, job-protected time off in the 12 months after your baby is born. To qualify, you must have worked for your employer for a year, and 1,250 hours in the prior 12 months.

PAY WHILE OFF WORK



You can receive 90% or 70% of your regular weekly wages through the State Disability Insurance (SDI) and Paid Family Leave (PFL) programs.

SDI pay during pregnancy and recovery:

You can apply for SDI benefits if at any point in pregnancy or postpartum you are unable to work or it is unsafe to do your normal work.

You may be eligible if:

- ✓ Your healthcare provider says it is not recommended for you to continue doing your regular job
- ✓ You contributed to the SDI program through deductions from your wages (take a look at your paystub).

PFL pay for bonding:

Both parents can receive 8 weeks of pay under the CA Paid Family Leave program for time off work to bond with their new baby. PFL can be taken at any time during the child's first year and provides up to 70-90% of your usual pay.

How can I apply?

To apply for SDI, talk to your doctor or midwife and fill out an application with the Employment Development Department.

Workers are eligible to apply for SDI or PFL regardless of their immigration status!

It is recommended that undocumented workers apply by mail (not online). See here for information on how to apply.



HAVE QUESTIONS? CONTACT US TODAY!

For more information about your rights, contact our free and confidential legal helpline. We can provide support in English, Spanish, and more languages upon request. Help is available regardless of income or immigration status.

 pregnantatwork.org/gethelp

 415-703-8276

 helpline@worklifelaw.org



For more information on your rights, check out www.pregnantatwork.org