



Health Care Provider's Guide to Supporting Pregnant and Postpartum Workers in California

Visit [the Pregnant@Work website \(www.pregnantatwork.org\)](http://www.pregnantatwork.org) or call the UC Law SF Center for WorkLife Law for more information and free tools to support your patients.

ACCOMMODATIONS FOR PREGNANCY AND POSTPARTUM

California law requires employers that have 5 or more employees to provide reasonable accommodations, on the advice of a health care professional, to employees affected by pregnancy, childbirth, lactation, or related conditions. Employers cannot require pregnant employees to take leave if they can continue working with a reasonable accommodation.

Additionally, the federal Pregnant Workers Fairness Act (PWFA) requires employers that have 15 or more employees nationwide to provide reasonable accommodations for known limitations related to pregnancy, childbirth, and related medical conditions such as lactation, miscarriage, stillbirth, abortion, infertility, and contraception/menstruation. While employees with pregnancy-related disabilities and complications are eligible for accommodations under this law, such a condition is not required. There is no severity threshold. Under the PWFA, employers must provide requested accommodations that promote pregnancy health (including avoiding risk and discomfort). These accommodations must be made unless it would be significantly difficult or expensive for the employer to provide. To learn more about how to write work notes, see our [Guidelines for Drafting Work Accommodation Notes for Pregnant and Postpartum Patients](#). You may also wish to use our 1-page fillable [Medical Certification Form](#) to give your patient's employer the information it needs to make an accommodation, while protecting your patient's privacy.

LEAVE DURING PREGNANCY AND POSTPARTUM

Under California's Pregnancy Disability Leave Law (PDL), employers with 5 or more employees must provide leave of up to four months (17 1/3 weeks) to employees disabled by pregnancy, childbirth, or a related medical condition. The employer is typically not required to pay the employee during this leave, but must return them to the same job after their leave, and the employer must continue paying its portion of health insurance benefits. PDL may be taken full-time, on an intermittent basis, or be used for a reduced work schedule and to attend prenatal or postnatal care appointments.

An employee is eligible for Pregnancy Disability Leave if, in the opinion of their health care provider, they are unable because of pregnancy to perform one or more essential functions of their job or to perform them without undue risk to themselves, to their pregnancy's successful completion, or to other persons. To recommend leave, write a note to your patient's employer stating that the employee needs to take pregnancy disability leave because they are disabled by pregnancy, childbirth or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave.



California law also requires employers to provide employees with [at least 5 paid sick days per year](#), which may be used for pregnancy-related reasons. Additionally, employees may take at least 5 days of unpaid time off following a [reproductive loss event](#) (up to 20 days in a year if multiple losses are experienced). If a patient needs more time off (for example, if they began their pregnancy disability leave early in pregnancy), you can recommend *leave as a reasonable accommodation* under the PWFA (see section above).

INCOME REPLACEMENT FOR LEAVE DURING PREGNANCY & POSTPARTUM: STATE DISABILITY INSURANCE

California’s State Disability Insurance (SDI) program provides partial income replacement while a worker is unable to work (or is working less) due to pregnancy, childbirth, or a related condition. As of January 2025, workers earning low wages (\$63,000 or less per year) can receive 90% of their regular weekly wages, for up to 52 weeks, from the SDI program. Higher earners may receive 70% of their regular weekly wages. The weekly benefits cap for 2025 is \$1,681.

When is a worker eligible for SDI during pregnancy?	<i>A claimant is considered “disabled” for purposes of SDI eligibility if, in the opinion of their health care provider, it is not advisable for them to perform their regular or customary work.</i> SDI may be available, for example, to patients who are unable to work due to severe nausea or because of hazardous working conditions. According to the state agency that administers the program (EDD), health care providers may certify a patient as disabled for SDI if “your patient’s job requirements (e.g., lifting, continuous standing, chemical exposure, etc.) pose a danger to the health of your pregnant patient or the fetus.” SDI is also available postpartum to recover from childbirth or if the employee is unable to work because of a complication such as a postpartum mental health disorder.
Can undocumented workers apply for SDI?	Yes. State Disability Insurance (SDI) and Paid Family Leave (PFL) are available regardless of the claimant’s immigration status. SDI and PFL are completely worker-funded insurance programs. Most employees in California contribute to the SDI fund through payroll deductions and may benefit from SDI and PFL, regardless of immigration status.
At what point in pregnancy can I certify a patient for SDI?	Health care providers may certify a patient for SDI at any point in pregnancy.



LEAVE FOR BONDING WITH A NEW CHILD

The California Family Rights Act (CFRA) requires employers with 5 or more employees to provide 12 weeks of unpaid leave (with the right to return to the same job) for employees to bond with their new child. This leave is available only for a year after the birth, adoption, or placement of the child. All parents may take this bonding leave, regardless of gender. Typically, the birth parent begins their bonding leave *after* they have recovered from pregnancy, childbirth, and related conditions.

To qualify for CFRA bonding leave, your patient must have worked for their employer for 12+ months (this time does not need to be consecutive) and have worked at least 1,250 hours in the year before their pregnancy-related leave begins.

While they are taking time off work to bond with their infant, all parents may apply for and receive Paid Family Leave (PFL) from the EDD, regardless of gender. PFL provides 8 weeks of partial income replacement (at the same rate as SDI, above).

LACTATION RIGHTS AT WORK

California law and the federal PUMP Act require employers to provide employees with reasonable break time and a private non-bathroom space to express breast milk.

The lactation space must be close to the employee's work area, clean, safe, and free of hazardous materials. It must have access to electricity (or alternative devices), a surface to place a breast pump, and a place for the employee to sit. The employer must also provide access to a sink with running water and a refrigerator suitable for storing milk within close proximity to the employee's work area. If a refrigerator cannot be provided, another suitable cooling device may be provided.

Workers can take the time they need, as often as they need, to express breast milk. Needs will vary based on factors like the baby's feeding schedule, the worker's response to the breast pump, and more. Typically, a worker will need to pump three times for 15-20 minutes per session during an 8-hour workday. This is in addition to the time needed to get to the pumping space, set up the pump, clean up, store the milk, and return to the work area. Employers are typically not required to pay employees for lactation break time that goes beyond their usual legally required paid breaks, with some notable exceptions. View [Lactation Rights at Work: Are Pumping Breaks Paid or Unpaid?](#) to learn more about pay for lactation breaks.

Lactating employees who need work modifications other than break time and space may request "reasonable accommodations" under the Pregnant Workers Fairness Act, described above.

Visit our [Workplace Lactation Laws](#) page to learn more about the laws protecting lactating employees.



PROTECTION FROM RETALIATION AND DISCRIMINATION

If your patient is fired or penalized for asking for or using accommodations or leave, advise them to contact WorkLife Law's free and confidential legal helpline as soon as possible (see below).

Have Questions?

Health care providers may contact the UC Law SF Center for WorkLife Law at **(415) 565-4640**.

Pregnant and postpartum workers may contact WorkLife Law's free legal helpline at hotline@worklifelaw.org or **(415) 703-8276**.

UC Law SF Center for WorkLife Law experts are available to deliver grand rounds or are available for other educational opportunities on this topic.

Visit WorkLife Law's [Pregnant@Work website \(pregnantatwork.org\)](https://pregnantatwork.org) for more information.