

Pregnant Workers Fairness Act: Understanding Your Rights

Frequently Asked Questions: Doctors Notes and Medical Paperwork

What is the Pregnant Workers Fairness Act? A national law that went into effect in June 2023 that requires employers that have at least 15 employees to provide “reasonable accommodations” for employees who need changes at work because of pregnancy, childbirth, and related medical conditions. For more information about what kinds of “reasonable accommodations” you may have a right to receive, and how to ask for them, see [Talking to Your Boss About Your Bump](#), which is filled with useful information about pregnancy and work.

Can my employer require me to get a note from my doctor? Your employer may require you to get a note in some cases, but there are limits to what your employer can ask for. The Equal Employment Opportunity Commission (EEOC), the federal agency responsible for interpreting the law, has said that employer requests for medical documents must be reasonable. The EEOC put out a proposal for what “reasonable” means, but it hasn’t been finalized yet and could still change. For now, the EEOC has said:

- Your employer shouldn’t ask you for medical paperwork when it is obvious that you need the accommodation you requested—like a uniform that fits your growing belly.
- Your employer should not ask you to get a medical note to carry a water bottle, to sit, to stand, or to take additional breaks for going to the bathroom, eating, or drinking. Your employer also cannot ask for a note when you are requesting accommodations for breastfeeding/lactation.
- When your employer requires a medical note, it can only ask your healthcare provider to describe or identify your physical or mental condition, to confirm that it is related to pregnancy, and to state that you need a change (or accommodation) at work.
- Once you have provided this information, your employer should not delay or require you to provide more medical paperwork before accommodating you. This means your employer cannot delay your accommodation because you haven’t turned in lengthy unnecessary forms about your health and ability to perform all of your job duties, like the kind used for disability accommodation requests.
- Your employer should accept notes from a doctor, doula, midwife, psychologist, nurse, physical therapist, licensed mental health provider, or similar healthcare provider.
- Your employer must keep your health information confidential and cannot tell coworkers you are pregnant. They may share limited information only when necessary to make the accommodation.

You may want to give your doctor, midwife, or other care provider [our guide](#) that explains how to write an effective work note that protects your privacy as much as possible.

What should I do if my employer asks for unreasonable medical paperwork? This is up to you. Depending on what changes you are requesting, the type of paperwork your employer is asking for, and your relationship with your healthcare provider, it might be easier for you to simply provide the paperwork so you can get the changes you need. However, some people have trouble getting paperwork filled out by their doctor, and some doctors charge money to fill out paperwork. If you cannot get medical paperwork, or do not want to, you can share with your boss WorkLife Law’s employer handout “[Understanding Employer Obligations: Medical Certification](#).”

Additionally, if your employer says it will not grant your request until you bring in medical paperwork, and you need accommodations immediately, you may want to ask your employer to give you a temporary accommodation until your healthcare provider has had time to fill out your paperwork.