

# Paid Leave and Accommodation Rights for Birthing and Postpartum Workers in California

In California, most workers who give birth have the right to job-protected leave from work, with pay, while they recover from childbirth and bond with their baby. Most parents who do not give birth also have the right to job-protected paid leave to bond with their baby. These rights are available regardless of immigration status.

For more information, read below and scan the QR code at the bottom of this page to find answers to frequently asked questions. Health and social service providers and low-paid workers with questions can contact Legal Aid at Work's Work & Family Helpline at **800-880-8047** for free, confidential advice.

Government workers' rights may differ. Talk to your union or employer or see our factsheet for federal employees: [Workplace Protections for Pregnant and Parenting Federal Employees](#).

## STEPS FOR BIRTHING WORKERS

1.

Talk to your health care provider to see what accommodations and/or leave you need from work.

2.

Tell your employer you need accommodations or leave, and if requested, give them a note from your healthcare provider.

3.

Apply to the Employment Development Department (EDD) for State Disability Insurance (SDI) and Paid Family Leave (PFL) during your leave.



### LEAVE AND PAY WHILE RECOVERING FROM BIRTH

- You may be eligible for 70-90% of your pay while you recover from birth for 6 weeks (vaginal delivery) or 8 weeks (C-section) through State Disability Insurance (SDI). Apply at [edd.ca.gov](http://edd.ca.gov).
- During this time, your employer must hold your job for you under California's Pregnancy Disability Leave Law (PDL) if your employer has 5+ employees.

If you need **extended medical leave** due to a health condition including **post-partum depression or anxiety**, you may be eligible for up to 52 weeks at 70-90% pay while you recover. Your employer must hold your job for up to 4 months total while you cannot work due to a pregnancy- or childbirth-related condition. You may be entitled to more than 4 months of leave unless it causes an undue hardship on your employer.

### LEAVE AND PAY WHILE BONDING WITH YOUR BABY

After you recover from childbirth (after SDI ends), you may be able to receive 8 more weeks of 70-90% pay while bonding with your baby, through Paid Family Leave (PFL). Parents who do not give birth can also receive 70-90% pay for 8 weeks through PFL. Apply at [edd.ca.gov](http://edd.ca.gov).

If eligible, both parents can receive 12 weeks of job-protected bonding leave under the California Family Rights Act (CFRA). This means many parents can take 8 weeks of bonding leave with 70-90% pay, and an additional 4 weeks of unpaid bonding leave, with their jobs held for them. Bonding leave must be taken within the baby's first year of life. To qualify for job protected bonding leave, your employer must have 5+ employees and you must have worked for your employer for 1yr+ and 1250 hours (about 25hrs+ per week) in prior year.



DISCLAIMER: Current as of February 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.