

Pregnant Workers Fairness Act: Understanding Your Rights

Doctors Notes and Medical Paperwork FAQ

What is the Pregnant Workers Fairness Act?

A national law that requires employers with 15 or more employees to provide “reasonable accommodations” for employees who need changes at work because of pregnancy, childbirth, lactation and related medical conditions. For more information about your rights under this law and how to ask for accommodations, visit www.PregnantAtWork.org.

Can my employer require me to get a note from my doctor?

Your employer does not have to ask you for medical paperwork, but it is allowed to do so when it is “reasonable.” The law says that your employer is not allowed to ask for medical paperwork when:

- You are pregnant and have asked to sit, stand, carry or keep water nearby to drink, or take more breaks for going to the bathroom, eating, or drinking.
- You are requesting accommodations for pumping breast milk at work (like break time or private space), or need time to nurse your child during the workday (so long as your child is already near your normal working location, like at a nearby childcare center).
- It is obvious that you need the accommodation you requested—like a uniform that fits your growing belly.
- Other employees are allowed to have the change you are requesting without providing paperwork.

What medical information can my employer ask for?

Your employer is allowed to ask for only:

1. Your work limitation, which is your physical or mental condition, an impediment, or a problem, such as needing to rest, reduce risk, or alleviate pain. This can be something that you need at work to stay healthy, like going to healthcare appointments or recovering from childbirth.
2. A simple statement that your limitation or need is related to pregnancy, childbirth, or a related medical condition.
3. The accommodation or change that you need at work.
4. The expected timeframe for the accommodation.

The medical note can be from a doctor, midwife, psychologist, doula, nurse, physical therapist, lactation consultant, licensed mental health provider, or similar healthcare provider. This person may be a telehealth provider and does not have to be the same provider who is treating the condition. **Once you have provided this information, your employer is not allowed to ask for more or delay.**



Ask your healthcare provider to fill out [our medical certification form](#) that includes the required information.

How do I protect my privacy?

- When you request a pregnancy accommodation, your employer cannot ask you to fill out “disability” or “ADA” paperwork that asks for detailed information about your health. You do not have to provide information about your medical conditions, symptoms, or impairments.
- 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.
- Your employer cannot require you to be examined by a doctor or provider they’ve chosen.

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 quickly. 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 the paperwork, or do not want to, you can share with your boss WorkLife Law’s employer handout “[Understanding Employer Obligations: Medical Certification](#).” Requesting unreasonable paperwork or delaying reasonable accommodations can be a violation of federal law.


What can I do while I’m waiting for my accommodation?

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 “interim accommodation” until your healthcare provider has had time to fill out your paperwork. This has been recommended by the Equal Employment Opportunity Commission (EEOC) as a “best practice” employers can use to avoid legal violations.

Need more information or think your rights are being violated?

Contact our free and confidential legal helpline:

 hotline@worklifelaw.org

 (415) 703-8276