



New Pregnancy Regulations in Effect in California

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As we recently reported during our 2013 Emerging Employment Law Seminar, the California Fair Employment and Housing Commission (FEHC) implemented new and amended regulations addressing employers' obligations and employees' rights and responsibilities regarding pregnancy under the California Fair Employment and Housing Act (FEHA) (Title 2, California Code of Regulations, Sections 7291.2 et seq.). Employers should become familiar with the pregnancy regulations because they make substantial changes in the areas of leave, benefits, and reinstatement. Some of the key changes employers need to know include:

- Definition of disabled by pregnancy
- Amount of available leave
- Measuring intermittent/reduced schedule leave
- Right to reinstatement to the same position or comparable position after leave or transfer
- Maintenance of health insurance coverage for up to seven months if an employee takes pregnancy and CFRA leave
- Providing more leave as a reasonable accommodation once PDL is exhausted
- Transfers as a reasonable accommodation
- Other reasonable accommodation in addition to transfers and leave
- Providing advance written notice to employees of rights and responsibilities
- Medical certification

Be sure to update your employee handbook and policies and procedures to reflect these recent changes.