



Protected Leaves Newsletter



From Birth to Bonding: Exploring Leave for Parents, Surrogacy, Adoption, and Foster Parents



From birth to bonding, every parent deserves the time and support to welcome and care for their child. Whether you are a biological parent, surrogate, adoptive parent, or foster parent, understanding your leave options is important.

In this week's newsletter, we will explore the leaves available to parents in various circumstances, ensuring you know how to navigate this important time with confidence and care.

Preparing for Pregnancy Leave

Oh BABY!

Preparing for pregnancy leave can be both exciting and overwhelming. Expecting employees often feel uncertain about navigating the complexities of pregnancy leave, policies, rules, and regulations, especially when they need clarity and support the most. That's why it's crucial to fully understand your pregnancy leave rights and take proactive steps to advocate for yourself. With the right resources and information, you can embrace parenthood while making informed decisions for your family. Refer to the [Leave for Pregnancy Disability and Child Bonding: Quick Reference Guide](#) for a quick overview of how different protected leave laws interact.



Baby Bonding Leave



Baby bonding leave, also known as parental leave, allows parents to take up to 12 weeks off to care for and bond with their newborn, newly adopted, or fostered child. This time off is essential for parents to adjust to their new family dynamic, support their baby's early development, and strengthen the parent-child relationship. Baby bonding leave is crucial for the mental and emotional well-being of both the parent and child, helping parents build a strong attachment with their baby, which can positively influence long-term development and family dynamics.

Foster Care Placement and the Adoption Process

Employees may use protected leave when a child is first placed with them for adoption or foster care and to bond with their newly placed child. An employee's entitlement to leave for adoption or foster placement ends at the conclusion of the 12-month period beginning on the date of the placement.

Employees may also use protected leave before the actual placement or adoption of a child in situations. For example, the employee may be required to:

- Attend counseling sessions
- Submit to a physical examination
- Consult with the attorney or doctor(s) representing the birth parent
- Appear in court
- Travel to another country to complete an adoption



View the
Department of Labor's
[Fact Sheet](#)
for more information
about baby bonding.

Surrogacy



Surrogacy is an arrangement in which an individual (the surrogate) agrees to carry and give birth to a child on behalf of another person or couple [the intended parent(s)].

Are surrogates entitled to pregnancy leave? Yes, surrogates are eligible for Pregnancy Disability Leave (PDL) during pregnancy and after the child is born to recover from childbirth. Additionally, the Family and Medical Leave Act (FMLA) considers pregnancy a "serious medical condition," which means that eligible surrogates qualify for FMLA. This leave would run concurrently with PDL.

Is protected leave available for intended parents during the surrogacy process? Yes. Although intended parents do not give birth and do not need to physically recover from pregnancy, they can request leave to care for a designated person under the California Family Rights Act (CFRA) and to bond with their new child under FMLA and CFRA, if eligible.

Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (PWFA) is a federal law that went into effect on June 27, 2023, and requires employers to provide accommodations for pregnant employees while they are working. In accordance with the law, the County must provide a "reasonable accommodation" for a qualified employee's known limitations related to, affected by, or arising from pregnancy, childbirth, or related medical conditions, unless doing so would cause the employer an "undue hardship." For potential accommodation needs, speak with your supervisor and your departmental Disability Management & Compliance Coordinator. Click [HERE](#) for more information on the PWFA.



Employee Quick Tips



[Embracing Baby Bonding -
Four-Minute Tutorial](#)

Supervisor Strategies

[Maintaining
Confidentiality](#)



In the next newsletter, we will discuss various caregiver leave options available to help support you and your family during critical times.

