



Civil Rights Department

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Whole Foods Agrees to Training, Policy Review After Worker's Pregnancy Accommodation Requests Allegedly Ignored at Berkeley Store

Settlement will help protect the rights of workers at Whole Foods locations across California

SACRAMENTO – The California Civil Rights Department (CRD) today announced reaching a settlement with Whole Foods following allegations that a worker was unlawfully discriminated against and eventually fired from a Berkeley location after requesting pregnancy-related accommodations. As part of the settlement, Whole Foods will submit its training materials to the state for review and ensure staff receive training on disability and pregnancy protections under California law.

"In California, we have strong laws in place to ensure pregnant workers do not face impossible choices between their safety and their ability to earn a living," **said CRD Director Kevin Kish**. "All Californians have the right to reasonable pregnancy-related accommodations, whether it's more frequent breaks or limits on heavy lifting. At the Civil Rights Department, we'll continue to take action to protect the rights of pregnant workers in our state."

Worker's Pregnancy Requests Allegedly Ignored

In 2023, CRD received a complaint against Whole Foods from a worker who alleged that she faced discrimination and was eventually fired in retaliation for requesting accommodations related to her pregnancy. According to the complaint, the worker informed Whole Foods that she was pregnant and provided her employer with medical verification for specific accommodations, such as not lifting heavy objects, reduced time standing, and avoiding extreme heat from ovens or cooktops. The worker alleged that despite her having provided the medical notice, her requested accommodations were never granted. After complaining about it to Whole Foods and submitting additional information from her medical provider, she claimed that she was then told that she was being put under investigation because she forgot to punch in for a shift — even though, according to her complaint, other employees had not been fired in the past for similar mistakes — and was eventually fired.

California Law Protects Pregnant Workers

Under California law, pregnant workers are entitled to a range of protections, including up to four months of disability leave per pregnancy and accommodations to allow pregnant workers to stay on the job. For instance, employers with five or more employees are required to reasonably accommodate medical needs related to pregnancy or childbirth, such as modifying work duties, providing a stool or

chair, or allowing more frequent breaks. Employers are also required to provide information about pregnancy disability leave to their employees and ensure workers are able to return to the same job they had prior to taking the leave.

Civil Rights Complaint Brings Change

After conducting an initial investigation, CRD provided the worker and Whole Foods an opportunity to voluntarily resolve the allegations through mediation. As a result of the settlement, Whole Foods, without admitting liability, will:

- Submit its training materials on disability and reasonable accommodations to CRD for review and work with the state to incorporate any proposed recommendations.
- Provide in-person training to its human resources staff in California on the state's civil rights laws, including a focus on disability and reasonable accommodation requests.
- Ensure all store leaders across California complete training on reasonable accommodation requests and protections against discrimination, harassment, and retaliation.
- Certify annually to CRD for two years that its reasonable accommodation policies and procedures comply with California and federal law.
- Compensate the individual complainant for lost wages and other harms.

If you or someone you know has experienced employment discrimination, CRD may be able to assist you through its [complaint process](#). The department also [provides general information and factsheets online](#) about civil rights protections, including on the [rights of pregnant workers](#) and [pregnancy disability leave](#).

The settlement announced today was secured by Associate Chief Counsel Siri Thanasombat. It was mediated by Attorney Mediator Andrea Fernandez-Jackson.

You can learn more by [reading a copy of the settlement](#).

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The California Civil Rights Department (CRD) is the state agency charged with enforcing California's civil rights laws. CRD's mission is to protect the people of California from unlawful discrimination in employment, housing, public accommodations, and state-funded programs and activities, and from hate violence and human trafficking. For more information, visit calcivilrights.ca.gov.

