Paid Pregnancy Loss Leave Toolkit

Owen's Plan • Created by Sasha Smith

Use this toolkit to propose paid leave, adapt a policy, and make the experience of asking for support less difficult. Employees, managers, HR teams, union representatives, and organizational leaders can start here. You do not need to disclose a personal loss to advocate for the policy.

After losing my son Owen one week before my due date, I developed a paid pregnancy loss leave proposal and brought it to HR leadership. I wanted people to have time to recover and grieve without having to assemble their own support system from a collection of policies. This toolkit builds on that proposal.

The suggested benefit is four normal working weeks at full pay per event, with coverage at any pregnancy stage. Four weeks is a policy recommendation, not a legal requirement, a recovery timetable, or an established industry benchmark.

Choose where to begin

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Use the core with a locally reviewed policy and, where relevant, the Illinois, California, or Oregon companion. These are the first three U.S. companions; this is not a review of every state or country. The model is proposed organizational language. Legal summaries are general information, not legal advice.

First edition • Legal sources checked November 7, 2026

Make the proposal

Copy the proposal below and replace the bracketed fields. Keep the request specific. A conversation about policy should not require anyone to make their grief persuasive.

Proposal for paid pregnancy loss leave

To [decision maker] • From [name or working group] • Decision requested by [date]

I'm asking [organization] to adopt a paid pregnancy loss leave policy. People experiencing a loss should have a clear way to take time away, understand their pay, and return with support. That includes people whose loss happens early in pregnancy, those recovering from childbirth, and partners or intended parents.

A dedicated policy would give employees and managers one place to begin. It would also make coverage, payroll, and privacy responsibilities easier to plan. We should assess the actual costs and experience after launch rather than promise a particular financial return.

I propose four normal working weeks at full pay per qualifying event, available from the start of employment, including to part-time employees on their usual schedule. The policy would cover loss at any pregnancy stage, with a flexible period for using the time. Medical recovery and applicable legal entitlements would be assessed separately.

Employees would notify one designated contact, without needing to tell their manager the details of the loss or obtain a death certificate for this employer-funded benefit. Managers would arrange coverage and agree with the employee what, if anything, to share with colleagues. A supported return would include a discussion of workload, hours, and any accommodations needed.

Please appoint [policy owner] to work with payroll, benefits, employee representatives where relevant, and local employment counsel. The attached model and state companion can support that review. I'm requesting a decision on scope, funding, and a target effective date of [date].

A short way to introduce it

"Could we review how someone asks for leave after a pregnancy loss? I'd like us to offer a clear paid benefit, with one contact and a practical plan for managers. I have a proposal we can work through together."

If there is no HR team, bring the proposal to the person responsible for employment decisions or payroll. In a unionized organization, involve the appropriate representative. Advocacy can happen without collecting colleagues' private medical stories.

Model policy coverage

Pages 3–5 form one proposed policy. Replace the fields, resolve the adoption choices on page 10, and obtain local review before issuing it. The commitments below become organizational benefits only if adopted.

Organization [name] • Effective date [date] • Policy owner [role] • Confidential contact [contact] • Backup [contact]

Purpose

[Organization] provides paid time away after pregnancy loss so employees can attend to grief, practical needs, and their lives outside work. Support does not depend on the stage of pregnancy, whether the pregnancy was publicly known, or how an employee describes their feelings.

Who is covered

All employees are eligible from their first day of employment, including part-time, fixed-term, and seasonal employees. Each eligible employee has their own entitlement; employees who are partners do not share one allowance. This employer benefit has no minimum service or hours threshold. Statutory leave and public benefit programs have separate eligibility rules.

This policy applies to the employee experiencing the loss, their partner, and an intended parent affected by the loss. Gestational carriers are included whether or not they are intended parents. Eligibility does not depend on gender, marital status, or biological connection. Contractors, agency workers employed by another entity, and volunteers need a separate arrangement; this policy does not determine employment status.

Events covered by this proposed policy

- Loss at any pregnancy stage, including miscarriage, ectopic or molar pregnancy, termination for any reason, and stillbirth. Employees are not required to explain the circumstances or reasons.
- For a broader reproductive loss benefit, this model also covers unsuccessful assisted reproduction, a failed adoption or surrogacy arrangement, and a diagnosis that ends an employee's current attempt to become a parent.
- The death of a baby within the first 28 days after a live birth is also covered. This is an explicit proposed extension of the pregnancy loss benefit; review the wider child bereavement policy so families experiencing later deaths also receive appropriate support.

A single loss and its related treatment count as one event. A separate subsequent loss creates a new entitlement. There is no annual event cap in this model. Repeated loss is not a reason to require more intrusive evidence or reduce support.

These definitions describe the proposed employer benefit. They do not mean that every event above qualifies under every law or insurance plan.

Model policy time and pay

Amount of paid leave

Employees may take four normal working weeks at full pay per qualifying event. For an employee who normally works 40 hours each week, the allowance is 160 hours; at 24 hours each week, it is 96 hours. A five-day workweek ordinarily means 20 working days. It does not mean 20 days for every schedule.

For variable schedules, use average weekly working hours over the 13 completed weeks before leave, excluding weeks of unpaid absence. If fewer weeks are available, use the available weeks or the agreed normal schedule. Document the calculation and use a more favorable measure if local law or an agreement requires it.

When the time may be used

Leave may begin immediately. Employees may use it continuously, in separate days, or in hours to reduce their schedule, within 12 months after the event. If medical recovery prevents use within that period, the unused employer benefit remains available for three months after that recovery leave ends. These are employer policy periods; separate legal deadlines still apply.

Employees may use all, some, or none of the benefit. There is no expectation to return early. Unused time is not paid out unless required by law or an applicable agreement. Additional leave or schedule changes can be requested through [contact] and will be assessed separately from this allowance.

What full pay means

For salaried employees, full pay means usual base salary and regular fixed allowances. For hourly employees, it means the approved leave hours at the normal rate, including regular shift differentials. Regular commissions or variable earnings are averaged over the preceding 13 completed weeks, using available history for newer employees. Exclude expense reimbursements, discretionary bonuses, and nonregular overtime, unless a more favorable rule applies.

Payroll will give the employee a written calculation and pay dates. This benefit does not require employees to exhaust vacation, sick leave, or other accrued paid time. Existing benefits continue on the same terms as active employment during this employer-paid leave, including the employee's normal contributions, subject to any more protective applicable rules.

Medical recovery is assessed separately

Physical or mental health needs may require additional time or accommodations. Do not debit this loss-leave balance for days designated solely as medical recovery. Employees may use the loss benefit after available recovery leave. Review recovery pay under the applicable employer plan, insurance, or public program; this model does not create a separate paid disability benefit or guarantee a fixed recovery period.

Model policy requests and protections

One contact and minimal disclosure

Notify [contact or backup] as soon as reasonably possible by call, email, message, or a trusted representative. For this employer benefit, a statement that a covered event occurred, the requested dates, and a preferred contact method are enough. No specific loss category, death certificate, or account of what happened is required.

[Contact] will acknowledge requests within one business day and confirm paid leave promptly. Emergency absence can begin while details are resolved. This is an internal target, not a statutory deadline. Legal leave or insurance may require separate lawful certification; [contact] will explain what is needed, who needs it, and the deadline.

Privacy and communication

Keep sensitive records in a restricted leave or medical file. Managers receive only dates, coverage needs, and approved adjustments needed for their jobs. Share personal details with colleagues only with specific permission, except where legally required. Explain necessary internal disclosures to the employee.

Ask whether the employee wants the baby's name used, what language feels right, and whether they want colleagues to know anything. Ask permission before gifts, flowers, team messages, or reminders. An employee can change these preferences. Support services are optional and are not a condition of leave.

Protection and a supported return

[Organization] will not penalize, retaliate against, or assign attendance points to an employee for requesting or using this benefit. Employees return to the same job, or an equivalent job if the original role no longer exists, subject to lawful unrelated employment changes. Concerns or a denied request can be raised with [review contact], who is separate from the initial decision maker where possible.

The manager owns the coverage plan. No employee is required to find their replacement or remain available while on leave. Before return, agree on immediate priorities, contact preferences, and any temporary adjustments. Additional accommodations and medical restrictions are assessed through the appropriate process.

Coordination with other leave

[Contact] will assess applicable legal leave, collective agreements, existing parental or medical benefits, and public or insurance payments separately. Provide a written timeline showing which days have which protections and pay. Apply concurrency only where lawful and honor required employee elections. Do not automatically cancel an approved recovery benefit because a baby has died. Where an external payment overlaps this employer benefit, apply only a lawful, disclosed top-up calculation; never subtract unrelated benefits or erase protected time.

Request leave

If you need leave now, send a short request without waiting to finish a policy proposal. A trusted person can help. These templates do not establish legal eligibility.

A short request for time away

Subject: Confidential leave request

Hi [name],
I have experienced a pregnancy or reproductive loss and need leave from [date] until [date or “to be confirmed”]. Please help me understand pay, protected leave, and any required steps. I prefer contact by [method]. Please keep the circumstances private; you may tell my manager [approved information].
Thank you, [name]

A request from a partner or intended parent

Hi [name],
I need leave from [date] after a pregnancy or reproductive loss as a [partner or intended parent]. Please review my eligibility and help coordinate time off, pay, and any documentation. Please share only [approved information] with my team.
[name]

An acknowledgement from the leave contact

Hi [name],
I’m sorry for your loss. I’m your contact, with [backup] available if I’m away. You do not need to repeat your story.
We have approved [dates or hours] under [policy], with [pay details]. I’m checking [other benefits] separately. By [date], I’ll send a written summary and any forms or deadlines. We will arrange coverage.
I’ve recorded [contact method] and [information we may share]. You can change those preferences.
[name and contact details]

If an answer is unclear or a request is denied

Ask for the reason and policy basis in writing, and a review by [backup or senior decision maker]. Keep copies. For legal questions, use the companion’s official agency links or seek independent advice. Internal review does not pause external filing deadlines.

Support an employee

You do not need a perfect sentence. Be kind, take responsibility for the practical work, and let the employee decide how much to share.

The first conversation

“I’m so sorry. Thank you for telling me. You don’t need to explain more. Let’s get you connected with [contact] and work out the time you need. I’ll take care of coverage. What would you like me to tell the team, if anything?”

- Listen. Use the employee’s words. Ask about using the baby’s name only if it feels appropriate; do not assume they want to discuss the loss.
- Do not ask about gestational age, the cause, treatment, future pregnancy plans, or whether the employee “really needs” the leave.
- Avoid “at least,” predictions about another baby, and attempts to find a reason for the loss. Silence and a straightforward acknowledgement are fine.
- Agree on one contact method and an optional next check-in. Do not make a response to every message a condition of support.

Take care of work without creating another job

Assign coverage, move deadlines, and decide what can stop. Ask for a brief handoff only if the employee is able and willing. Turn off routine work requests during leave. Ask before stopping baby-related workplace messages or changing already arranged celebrations; the employee may have specific wishes.

A team message, with permission: “[Name] is away until [date or further notice]. Please send questions about [work] to [cover]. We’ll respect their privacy and let them decide what they want to share.”

Make the return manageable

“What would make your first week easier? We can review priorities, meetings, hours, and what you want colleagues to know. You do not need to be feeling better to have this conversation.”

Record the agreed return date, temporary hours or duties, pay during any reduced schedule, the owner for accommodation requests, and a review date. Consider private space and breaks, physical demands, medical appointments, or avoiding a particular assignment if requested. Clinical advice belongs with the employee’s health care team.

Offer a check-in after the first week and again later, with the employee’s agreement. Do not assume returning means grief is over, or that everyone wants anniversaries acknowledged. Keep ordinary opportunities, feedback, and career conversations available without pressuring the employee to perform gratitude or resilience.

Put the policy into practice

Name an accountable owner and a backup before announcing the benefit. In a small organization, these may be the owner and an external payroll or employment adviser. The employee should not have to route the case between departments.

Before adoption

- Approve scope, pay, funding, eligibility, effective date, and any broader reproductive or neonatal loss coverage. Keep the same benefit for employees with comparable circumstances.
- Check every work location, remote-work arrangement, union agreement, and relevant employer category with local employment counsel. Resolve differences in a dated addendum.
- Ask payroll to calculate examples for salaried, hourly, part-time, and variable-pay employees. Explain benefits contributions and any lawful coordination with external payments.
- Set up a restricted request channel, a neutral payroll code, records access, retention rules, and a way to appeal. Avoid putting a loss diagnosis on team calendars or ordinary timesheets.
- Train managers on the first conversation, coverage, confidentiality, and return support. Publish the contact and backup where employees can find them without asking a manager.

When someone requests leave

The contact acknowledges the request, confirms immediate arrangements, and checks legal and benefit eligibility. Payroll confirms the pay calculation. The manager covers the work and uses only the communication the employee approved. The contact sends one written summary of dates, pay, required documents, and unresolved questions, with a named owner for each.

Before and after return

The employee and manager agree on immediate priorities and any requested adjustments. HR or the designated owner checks accommodation obligations and paperwork. Revisit the plan at the agreed time; do not make the employee repeatedly justify the same loss.

After launch

Review administrative problems after 90 days and at least annually afterward. Ask, optionally and privately, whether the process was understandable and whether employees had to repeat sensitive information. Report patterns only where anonymity can be protected. Fix unclear steps without asking someone in active grief to become the policy's test case.

Estimate costs

Build the estimate from your payroll and staffing arrangements. Do not turn an assumed loss rate into a prediction or ask employees to disclose past losses to populate a budget.

A simple worksheet

- Employees expected to use the benefit [planning assumption, not a forecast].
- Average paid leave hours per employee [usual weekly hours × weeks used].
- Average pay per leave hour [include approved regular variable pay].
- Employer benefits costs during leave [incremental amount, if any].
- Additional staffing, overtime, or temporary coverage [actual incremental cost].
- Administration or legal setup [one-time cost] and ongoing administration [annual cost].
- Lawfully coordinated external payments [verified amount only].

Paid leave wages = number using leave × paid hours used × average hourly pay. A salary may already sit in the ordinary payroll budget. Show that continued payroll separately from the extra cash needed for coverage so it is not counted twice as a new expense.

A hypothetical example

The following figures are invented to demonstrate the calculation. They are not a benchmark, a loss-rate estimate, or a prediction for your organization.

Illustrative input	Amount
Employees using leave	3
Hours per employee	120
Average hourly pay	$30
Wages continued during leave	3 × 120 × $30 = $10,800
Extra coverage and administration	$2,500
Total shown before any overlap	$13,300

If the $10,800 is already budgeted salary, this example requires $2,500 in additional coverage and administration, rather than $13,300 in new cash. Hourly staffing, overtime, taxes, and benefits can change that picture. Have finance document the assumptions and check for overlapping costs.

Compare a low, middle, and high utilization assumption privately. Track actual spending after launch. Do not count speculative retention or productivity gains as guaranteed savings.

Check local requirements

The core proposes an organizational benefit that can be adapted across locations. The companions summarize selected U.S. rules. Neither replaces a review of the employee's actual work location, employer, agreements, and circumstances.

Keep three questions separate

- What time off and job protection apply? Confirm eligibility, dates, leave balances, and any lawful concurrency.
- How is that time paid? Identify employer pay, accrued leave, insurance, or a public program, with separate applications where needed.
- What recovery or accommodations are needed? Do not treat the end of one benefit as proof that the employee is ready to return.

A short U S baseline

FMLA can provide eligible employees of covered employers up to 12 workweeks of unpaid, job-protected leave. DOL expressly includes recovery from stillbirth and care for a spouse recovering from childbirth. Eligibility generally involves 12 months of service, 1,250 hours in the prior year, and 50 employees within 75 miles of the worksite; employer coverage and exceptions also matter. [F1, F2]

The PWFA generally requires covered employers to consider reasonable accommodations for known pregnancy-related limitations unless there is undue hardship. It is not a general paid bereavement benefit. There is no general federal guarantee of paid family and medical leave for private-sector workers; state and employer benefits may provide pay. [F3, F4]

Complete these adoption decisions

Legal and benefits reviewer [name] • Locations covered [list] • Employee groups and agreements [list] • Approved scope changes [details] • Variable-pay calculation [details] • Benefit continuation [details] • External-pay coordination [details] • Review and appeal contacts [names] • Effective date [date]

For every jurisdiction, record statutory notice and certification rules, protected time, pay rules, privacy requirements, applicable local ordinances, and how multiple entitlements interact. Include a local-language version and accessible request method where needed. Review any employer-funded support for nonemployees separately.

The 12-month use period and four-week allowance in the model do not extend statutory claim windows. Do not copy one state's rules into another state's companion. If there is no companion for a location, leave the legal summary blank until researched and reviewed.

Test the experience

Before launch, walk through realistic requests with the policy owner, payroll, and a manager. Use fictional cases. The proposed benefit should be understandable without requiring the person taking leave to navigate the organization for everyone else.

- An employee has an early loss before telling anyone about the pregnancy. Can they request leave privately without identifying the specific event?
- A baby is stillborn shortly before the due date. Can the contact distinguish recovery, loss leave, and any previously approved parental benefits without making the parent start from scratch?
- A part-time partner works three shifts each week. Can payroll explain the four-week allowance in their usual hours rather than defaulting to 20 days?
- A new employee or gestational carrier requests leave. Does the employer benefit work even if a particular legal entitlement does not apply?
- An employee experiences a second loss. Is there a fresh entitlement and the same respectful process?
- A remote employee works in another state or country. Who confirms the applicable rules and sends the written timeline?
- The usual HR contact is away. Does the backup have appropriate access and authority to arrange immediate support?
- An employee returns and then needs a shorter day for an appointment. Can they use remaining policy hours and request other applicable accommodations?

Choose useful measures

Track time to acknowledgement, payroll corrections, requests sent to the wrong place, and gaps in coverage planning. Review optional feedback about clarity and privacy. These measures describe the process; they do not measure how well someone is grieving.

Decide what to change

Issue found [description] • Change needed [action] • Owner [name] • Due date [date] • Retest result [result]

Keep small samples private. Do not publish a team-level loss count, detailed case history, or survey result that could identify an employee. Staff should be able to suggest improvements without becoming the public face of the policy.

Sources and upkeep

Official U.S. sources checked November 7, 2026. Source labels in the text identify the relevant guidance. Read the live source and obtain local review before adopting or relying on a legal provision. Agency guidance, legislation, court decisions, and benefit administration can change.

[F1] U.S. Department of Labor. FMLA Fact Sheet 28Q

[F2] U.S. Department of Labor. FMLA frequently asked questions

[F3] U.S. Equal Employment Opportunity Commission. Pregnant Workers Fairness Act overview

[F4] U.S. Department of Labor. Paid leave overview

Use the state companions

Illinois focuses on Family Bereavement Leave Act eligibility, employee choice about substituting paid leave, and privacy. California distinguishes reproductive loss leave from medical recovery leave. Oregon separates Paid Leave Oregon, OFLA, and their different purposes. Each companion contains its own official links and practical adaptation steps.

Maintain one core and separate local editions

Assign a core owner [name] and a legal reviewer for each jurisdiction [names]. Review the legal companions at least every six months, before a new location is added, and whenever a relevant change is announced. Review the employer policy annually and after a process problem. These are suggested maintenance intervals, not scheduled reminders.

On each update, record the date checked, sources reviewed, substantive changes, approver, and next review date. Keep the prior edition for reference and replace outdated public downloads. Never remove a date from a legal companion to make it look evergreen.

Share and adapt

You are welcome to share and adapt this toolkit for your workplace. A credit to “Owen’s Plan, created by Sasha Smith” is appreciated. Do not include an employee’s personal story in an adaptation without their permission. Organizations should label their adopted policy with their own owner, effective date, and local addenda.

The original four-week proposal and its emphasis on confidentiality, manager support, and return arrangements informed this edition. The expanded coverage and administrative choices are recommendations for adaptation.