



EMPLOYEE MANUAL	
Policy Title: LACTATION ACCOMMODATION POLICY	
Policy No.: 38.0	Section Nos.: 38.0 – 38.3
Approval Date: June 2020	Effective Date: June 2020
Approved By: Board of Directors	

38.0 LACTATION ACCOMMODATION POLICY

38.1 Break-Time Requirements

- (a) The Agency recognizes the legal right and necessity of employees to request a lactation accommodation in the workplace.
- (b) The Agency must provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child each time the employee has need to express milk.
 - (1) The break time, if possible, shall run concurrently with the lunch and break time already provided to the employee.
 - (2) Break time for an employee that does not run concurrently with the rest time authorized for the employee by the applicable wage order of the Industrial Welfare Commission shall be unpaid.
- (c) Employees must notify their supervisor or other appropriate personnel in writing in advance of their intent to make use of the lactation accommodations offered for employees. The Agency will make reasonable efforts to accommodate requests to notify specific supervisory or management personnel in order to ensure the highest level of employee comfort. In addition, this notification requirement does not obligate the employee to provide notification before each occasion of use provided that general notification has already been given and there is a clear understanding between both the employee and supervisor, or other appropriate personnel, regarding the schedule of use.

38.2 Location Requirements

- (a) The Agency shall provide an employee with the use of a room or other location for the employee to express milk in private. The room or location may include the place where the employee normally works if it meets the requirements of this section. Multi-purpose rooms may also be used as lactation space if they satisfy the requirements of this section, however, use of the room for lactation takes priority over other uses.
- (b) The location shall meet all the following requirements:
 - (1) The location shall not be a bathroom.
 - (2) The location shall be close in proximity to the employee's work area.



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- (3) The location shall be shielded from view and free from intrusion while the employee is expressing milk.
 - (4) The location shall be safe, clean, and free of hazardous materials.
 - (5) The location shall contain a place for the employee to sit and a surface to place a breast pump and other personal items.
 - (6) The location shall have access to electricity or alternative devices needed to operate an electric or battery-powered breast pump.
- (c) There shall be access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the employee's workspace. If a refrigerator cannot be provided, the Agency may provide another cooling device suitable for storing milk, such as an Agency-provided cooler.
 - (d) The Agency may comply with this section by designating a lactation location that is temporary, due to operational, financial or space limitations. The temporary location shall be compliant with the requirements outlined above.

38.3 Disclosure Requirements

- (a) A copy of this policy will be disseminated to every newly hired employee and any employee who inquires about or requests pregnancy or parental leave.
- (b) A copy of this policy shall be included in the employee handbook.
- (c) The Agency must respond to an employee's request for lactation accommodation.
- (d) If the Agency cannot provide break time or a location that complies with the accommodation policy or denies the accommodation, then the Agency shall provide a written response to the employee who requested the accommodation.
- (e) In the event that this lactation accommodation policy is violated, it shall be deemed a failure to comply with Section 226.7 of the Labor Code. An aggrieved employee may file a complaint with the Labor Commissioner for the Agency's failure to follow the lactation accommodation policy.