

## LACTATION ACCOMMODATIONS FOR EMPLOYEES

### I. GENERAL

The District recognizes the positive benefits of supporting its employees who desire to express breast milk during working hours. This regulation promotes the District's commitment to an employee's right to request lactation accommodations pursuant to state and federal laws.

The District will provide reasonable accommodation for employees who wish to express breast milk for their infant child(ren) during their scheduled work hours. The District must provide an interactive process to assess reasonable accommodations, in addition to leave rights, to employees disabled by pregnancy and related medical conditions.

#### A. Break Times for Expressing Milk

1. The District will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for their infant child(ren).
2. The break time will, if possible, run concurrently with any break time already provided to the employee.
3. If an employee requires additional breaks beyond their normal scheduled breaks to express breast milk, additional breaks will be provided and deducted from the employee's available and applicable earned leave balance. If the employee has exhausted all applicable leave, unpaid breaks will be provided. Flexible scheduling may also be used for this accommodation.
4. Employees desiring to take a lactation break must comply with the Lactation Accommodation Request Process as detailed below in Section II.
5. Breaks may be reasonably delayed if they would seriously disrupt operations.
6. Once a break has been approved, the employee's break should not be interrupted except for emergency or exigent circumstances.

#### B. Lactation Rooms and Access to Facilities

1. The District has several designated lactation rooms, including lactation pods, across its campuses and District Services for employees to express milk in private. Locations can be found by contacting the District's ADA Compliance and Leave Administration Manager at the District Office of Human Resources.
2. If the District's designated lactation spaces are not a viable option for an employee, the District will provide an employee with an appropriate room or private location for the employee to express breast milk in private. The District will ensure this private room/location, that is not a bathroom, complies with the following:

- a. Will be in close proximity to the employee’s work area, and free from intrusion while the employee is expressing breast milk;
  - b. Will be safe, clean, and free of hazardous materials;
  - c. Will have a surface to place a breast pump and personal items;
  - d. Will have a place for the employee to sit; and
  - e. Will have access to electricity or alternative devices, including but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump.
3. Employees occupying a lactation room/location shall either secure the door or otherwise make it clear to others through available signage that the area is occupied and should not be disturbed. All other employees should avoid interrupting an employee who is expressing breast milk during an authorized break under this section, except to announce an emergency or other urgent circumstance.
  4. The District will provide employees with access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the employee’s workspace.
  5. If the District cannot provide a refrigerator, the District will provide another cooling device suitable for storing breast milk, such as a cooler.

## II. PROCESS FOR LACTATION ACCOMMODATION REQUESTS

### A. Employee Requests

1. Employees who would like to request a lactation accommodation, such as break times or a private lactation room, should contact the District’s ADA Compliance and Leave Administration Manager at the District Office of Human Resources.
2. Employees requesting a lactation accommodation must submit a “Lactation Accommodation for Employees Agreement” and a “Lactation Accommodation for Employees Request Form.”

### B. District Response

1. The District will respond to an employee’s request for lactation accommodations and initiate the interactive process to assess reasonable accommodations consistent with *Administrative Regulation 4015: Reasonable Accommodations for Employees/Applicants*.

## III. NON-RETALIATION

The District strictly prohibits discrimination or retaliation against any employee for exercising or attempting to exercise the rights afforded under this regulation. An aggrieved employee may file a complaint under the procedures set forth in *Administrative Regulation 4500: Unlawful Harassment and Discrimination Prevention and Complaints* and/or with the California Labor Commissioner.

### *References:*

*Labor Code Sections 1030, 1031, 1032, 1033, 1034*