

Lactation Accommodation Policy

1.0 Policy

1.1 California law mandates workplace lactation spaces for all employees. Colusa County (“County”) recognizes that breast milk is the optimal food for growth and development of infants, and seeks to promote a breastfeeding-friendly work environment that supports the legal right and necessity of employees who choose to express milk in the workplace. Under California Labor Code section 1034, the County has developed and implemented this written Lactation Accommodation Policy to provide breaks, and safe private locations, to reasonably accommodate all employees who desire to express breast milk at work.

2.0 Notice

2.1 A copy of this policy will be provided to every newly hired employee, and to any employee who requests or inquires about pregnancy or parental leave.

2.2 The written request form is attached and should be completed by the employee and submitted to the employee’s supervisor at least ten (10) business days, if practical, prior to the start date of the requested accommodation. The County will respond to an employee’s written request for lactation accommodation within five (5) business days. The completed request form must be returned to the employee and a copy sent to the Human Resources Department.

3.0 Use of Meal and Rest Breaks

3.1 The County will provide a reasonable amount of break time to accommodate an employee’s need to express breast milk or accommodate any medical condition related to breast-feeding. The break time shall, if possible, be taken concurrently with other rest and meal break periods already provided.

3.2 If the determination is made that it is not possible for the breaks to run concurrently with the employee’s existing rest and meal break periods, the County will make available separate break times, but any time taken that does not run concurrently with normally scheduled rest and meal breaks will be unpaid unless the employee chooses to use accrued vacation. Alternately, an employee may be granted a flexible work arrangement to allow for time to express milk.

4.0 Lactation Space

- 4.1 The County will provide breastfeeding employees with space in close proximity to the employee's work area that is shielded from view and free from intrusion from co-workers and the public, to express breastmilk. The room or location may include the place where the employee normally works if it otherwise meets the requirements of the lactation space. Restrooms are prohibited from being utilized for lactation purposes.
- 4.2 The designated lactation space will:
 - 4.2.1 Be safe, clean and free of toxic or hazardous materials (as defined in Labor Code § 6382);
 - 4.2.2 Contain a place to sit and a surface to place a breast pump and personal items;
 - 4.2.3 Have access to electricity; and
 - 4.2.4 Have access to a sink with running water and a refrigerator or other employer provided cooling device suitable to storing milk, such as an employer-provided cooler, in close proximity to the employee work area.
- 4.3 Multi-purpose rooms may be used as lactation space if they satisfy the above requirements; however, use of the space for lactation purposes shall take precedence over other uses for the time it is in use for lactation purposes.
- 4.4 The Safety Officer/Assistant Risk Manager or designee will inspect and approve the lactation space before the start of the lactation accommodation for compliance with this policy.

5.0 Retaliation Related to Breastfeeding or Expressing Milk is Prohibited

- 5.1 The County expressly prohibits retaliation against lactating employees for exercising their rights granted by the law. Examples of employer-prohibited conduct include:
 - 5.1.1 The denial or reasonable break time or adequate space to express milk;
 - 5.1.2 Discharge of an employee;
 - 5.1.3 Discrimination or retaliation, in any manner, against an employee who exercises, or attempts to exercise, any right protected under the law.

5.2 An employee may report a violation of this chapter to the Labor Commissioner's field enforcement unit.

6.0 Recordkeeping

6.1 For a period of three (3) years from the date of written request, the County will maintain a record of the written requests for Lactation Accommodation that includes the name of the employee, the date of request, and a description of how the request was resolved.

6.2 All denials by the County must be in writing and maintained for a period of three (3) years from the date of the written request.