


To: John Vasquez, Chair
and Members of the Board of Directors

From: Mat Ehrhardt, P.E., Executive Director/APCO 

Date: October 14, 2020

Subject: Lactation Accommodation Policy

Recommended Action

Receive and approve Lactation Accommodation Policy.

Background

California labor code sections 1030-1034 require an employer to provide employees with the use of a room or other location for employees to express milk in private. This portion of the legislation was enacted in 2001, various changes to the bill required additional requirements. In 2020, SB 142 went into effect and required an employer to have a lactation accommodation policy. This policy meets the provisions of this law.

The District has supported lactating employees by providing accommodations; however, this policy will meet the standards outlined in SB 142.

Budget Impacts

None to minimal budget impacts.

Other Agency Involvement

District Counsel has reviewed and approved this policy.

Attachments: Lactation Accommodations Policy

**YOLO-SOLANO AQMD
POLICY/PROCEDURE**

Lactation Accommodation Policy

Adopted October 14, 2020

PURPOSE

This policy is to establish guidelines for providing a breastfeeding-friendly environment and support for lactating employees at the Yolo-Solano Air Quality Management District (YSAQMD).

POLICY

YSAQMD recognizes lactating employees' rights to request lactation accommodation, and accommodates lactating employees by providing a reasonable amount of break time and a suitable lactation location to any employee who desires to express breast milk for their infant child, subject to any exemption allowed under applicable law.

If possible, the break time should run concurrently with your normally scheduled break time. Any break time to express breast milk that does not run concurrently with your normally scheduled break time may be unpaid.

The lactation location will be private (shielded from view and free from intrusion from co-workers and the public) and located close to your work area. The location will be safe, clean and free of toxic or hazardous materials; have a surface to place a breast pump and other personal items, have a place to sit, and have access to electricity or alternative devices (such as extension cords or charging stations) allowing you to operate an electric or battery powered breast pump. YSAQMD will also provide access to a sink with running water and a refrigerator suitable for storing milk in close proximity to your workspace. If a refrigerator cannot be provided, YSAQMD will provide another cooling device suitable for storing milk, such as an employer-provided cooler. The lactation location will not be a bathroom or restroom. The room or location may include an employee's private office if it otherwise meets the requirements of the lactation space. Multi-purpose rooms may be used as lactation space if they satisfy the requirements for space; however, use of the room for lactation takes priority over other uses for the time it is in use for lactation purposes.

Employees who desire lactation accommodations should contact the Administrative Services Manager to request accommodations. An employee's request may be provided orally, by email, or in writing, and need not be submitted on a specific form. We will engage in an interactive process with you to determine when and where lactation breaks will occur. If we cannot provide break time or a location that complies with this policy, we will provide a written response to your request.

YSAQMD will not tolerate discrimination or retaliation against employees who exercise their rights to a lactation accommodation, including those who request time to express milk at work and/or who lodge a complaint related to the right to lactation accommodation if you believe you have been denied reasonable break time or adequate space to express milk, or have been otherwise denied your rights related to a lactation accommodation, you have the right to file a complaint with the Labor Commissioner.