



CITY OF PETALUMA
ADMINISTRATIVE POLICY
Established: October 2021

Lactation Accommodation Policy

Purpose:

The City of Petaluma recognizes the need to promote a work environment that is supportive of breastfeeding employees when they return to work and who wish to continue nursing their children.

Scope:

The City encourages employees and management to have a positive, accepting attitude of working women and breastfeeding. The City's Lactation Accommodation Policy shall be disseminated to every incoming employee and available for all City employees. In accordance with Federal and California State laws, it is the regulation of the City to accommodate nursing employees' lactation needs.

Lactation Break Time:

A rest period shall be permitted each time the employee has the need to express breast milk (29 USC § 207). In general, lactation breaks should consider the needs of the individual employee and her work location/circumstances, but should not exceed a reasonable timeframe and shall, if possible, be coordinated with the employee's regularly scheduled rest or meal periods. If the employee takes lactation breaks at times other than their provided break times, then the lactation break shall be unpaid or the employee may choose to use accrued leave. (Labor Code § 1030).

Employees desiring to take a lactation break shall notify their supervisor prior to taking such a break. Such breaks may be reasonably delayed if the breaks would seriously disrupt City operations (Labor Code § 1032). Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

Private Location:

The City will provide a room or other appropriate location in close proximity to the employee's worksite that is not in a bathroom to express milk in private. The location will be safe, clean, and free of hazardous materials; contain a surface to place a breast pump and personal items; contain a place to sit and have access to electricity or alternative devices (e.g., extension cords or charging stations) needed to operate a breast pump. The employee will have access to a sink with running water and a refrigerator (or other cooling device) to store milk and will be in close proximity to the employee's workspace. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207, Labor Code § 1031, and SB 142).

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy and should not be disturbed. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

No Discrimination, Harassment, Retaliation:

Breastfeeding shall not constitute a source of discrimination in employment or in access to employment. Retaliation, harassment and discrimination in any way against an employee who expresses breast milk in the workplace, or requests to do so, is strictly prohibited.

Any incident of discrimination, harassment or retaliation against a breastfeeding employee will be addressed in accordance with the City’s policies and procedures for discrimination, harassment and retaliation.

Accommodation Request:

Any employee requesting an accommodation in accordance with this policy, should contact the Human Resources Department directly at 707-778-4534 or at humanresources@cityofpetaluma.org. In addition to or in lieu of directly contacting Human Resources, an employee may work directly with their supervisor to request an accommodation in accordance with this policy.

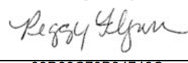
Following receipt of a request for lactation accommodation, the City will provide a timely written response to the employee in which the City will indicate if it is unable to provide the requested break time or a requested location for the purposes of expressing breast milk.

An employee who does not believe that the City is providing an appropriate lactation accommodation should immediately inform the Human Resources Department.

An employee who does not believe the City is providing an appropriate lactation accommodation as required by state law has the right to file a complaint with the California Division of Labor Standards Enforcement/Labor Commissioner.

If this policy conflicts with current statutory or case law, the law prevails.

Approved:

DocuSigned by:


Peggy Flynn, City Manager

3/10/2022

Date