
Butte County Mosquito and Vector Control District

POLICY MANUAL

POLICY TITLE: Lactation Accommodation
POLICY NUMBER: 7285

7285.1 Butte County Mosquito Vector Control District prohibits discrimination, harassment, and/or retaliation against any District employee for seeking a lactation accommodation while at work.

7285.2 An employee shall notify District Manager or other appropriate personnel in advance of the intent to request an accommodation. The supervisor shall respond to the request and shall work with the employee to accommodate. If needed, the supervisor shall address scheduling in order to ensure that the employee's essential job duties are covered during the break time.

7285.3 Lactation accommodations shall be granted unless limited circumstances exist as specified in law. (Labor Code sections 1031 and 1032.) Before a determination is made to deny lactation accommodations to an employee, the employee's supervisor shall consult with the District Manager. When lactation accommodations are denied, the District Manager shall document the options that were considered and the reasons for denying the accommodations.

7285.4 The District Manager shall provide a written response to any employee who was denied the accommodation(s). (Labor Code section 1034.)

7285.5 The District shall include this policy in its Policy Manual or in any set of policies that it makes available to employees. In addition, it shall be distributed to new employees upon hire and when an employee makes an inquiry about or requests parental leave. (Labor Code section 1034.)

7285.6 Break Time and Location Requirements

7285.6.1 The District shall provide a reasonable amount of break time to accommodate an employee each time the employee has a need to express breast milk for an infant child. (Labor Code section 1030.)

7285.6.2 To the extent possible, any break time granted for lactation accommodation shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code section 1030.)

7285.7 Location:

7285.7.1 The employee shall be provided the use of a private room or location, other than a bathroom, which may be the employee's work area or another location that is in close proximity to the employee's work area. The room or location provided shall meet the following requirements (Labor Code section 1031):

7285.7.1.1 Is shielded from view and free from intrusion while the employee is expressing milk;

7285.7.1.2 Is safe, clean, and free of hazardous materials, as defined in Labor Code section 6382;

7285.7.1.3 Contains a place to sit and a surface to place a breast pump and personal items;

7285.7.1.4 Has 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; and

7285.7.1.5 Has access to a sink with running water and a refrigerator or, if a refrigerator cannot be provided, another cooling device suitable for storing milk near the employee's workspace.

7285.7.2 If a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over other uses for the time it is in use for lactation purposes. (Labor Code section 1031.)

7285.8 Dispute Resolution

7285.8.1 An employee may file a complaint with the Labor Commissioner at the California Department of Industrial Relations for any alleged violation of Labor Code sections 1031-1034. (Labor Code section 1034.)

Date

Signature

Print name here