

Coast Community College District
ADMINISTRATIVE PROCEDURE
Chapter 7
Human Resources

AP 7908 Lactation

Reference:

Labor Code §§1030-1034

The District will provide lactation spaces and a reasonable amount of time to accommodate employees to express milk.

Request for Lactation Accommodation

Employees are responsible for requesting a lactation accommodation by contacting District Human Resources.

Lactation Spaces

The District has designated lactation spaces that will provide the following:

- a private and secure room with seating, other than a restroom
- located in close proximity to the employee's work area
- access to a power source for personal equipment used to express breast milk
- access to a nearby sink and refrigerator
- available for use during the time period an employee is required to be at work (after-hours access may be arranged through District Human Resources)

All individuals accommodated under BP 7908 are responsible for cleaning the lactation space after each use.

The lactation space may be where the employee normally works if there is adequate privacy to perform the activity (i.e., the employee's private office or another private area near the workspace).

If business operations preclude the full-time designation of a lactation space, then the lactation space may be designated and appropriately marked only during the times when it is in use for lactation purposes. Standard lactation room signage will be used in this instance.

Employee Lactation Breaks

The lactation break generally will run concurrently with an employee's paid break time. The District will make separate or additional time available if it is not possible for the lactation time to run concurrently with the employee's paid break time, but the additional break time shall be unpaid. Alternatively, available and applicable earned leave, intermittent Parental/Family and Medical Leave, or flexible scheduling may be used for this accommodation.

It is understood that District operations are not to be seriously disrupted by providing lactation time to the employee.

Expectations of Employees and Managers

Employees

Employees are responsible for requesting a lactation accommodation in writing prior to or during maternity leave, preferably no later than two weeks before returning to work.

Employees shall plan and organize their time to meet the job responsibilities established by their manager and are expected to complete the required number of hours in a workweek, unless otherwise agreed to by their manager.

Employees shall provide a written request for a flex or altered schedule, if necessary. Employees shall inform their supervisor in writing if a change of schedule is required. The supervisor shall be responsible for finding coverage as needed.

To the extent allowed by law, Board Policy, and Administrative Procedure, Lactation Accommodation Requests will be handled confidentially. Only individuals with a "need to know" will be made aware of a Lactation Accommodation Request and the resulting accommodation arrangements, if any.

If employees have comments, concerns, or questions regarding this Procedure, they shall contact their manager or College Human Resources or District Human Resources. Employees who feel that they have been denied proper and appropriate lactation accommodation, or who feel that they are being retaliated against because of a request for lactation accommodation, are encouraged to contact College Human Resources or District Human Resources. Employees have the right to file a complaint with the Labor Commissioner for any violation of a right under Labor Code §§1030-1034.

Lactating employees located at non-traditional worksites (i.e., not an office setting) will engage in a good-faith interactive process to identify reasonable accommodations for expressing breast milk or address other needs related to breastfeeding.

Managers

Managers receiving a Lactation Accommodation Request shall promptly notify the District Human Resources Compliance Office to:

- Assess the request and accommodation options.
- Review available space in the department/division and provide the requesting employee with information about the lactation spaces.
- Review legal requirements regarding employee lactation requests.
- Provide the requesting employee with written response as to lactation accommodations.

Managers shall ensure that lactation-requesting employees do not suffer negative consequences as a result of the lactation request. Managers shall be flexible in allowing requesting employees to select appropriate times to use an identified lactation space on campus, including allowing the employee with the time to travel to and from the closest lactation space to the employee's work area.

If the manager believes that department operations would be seriously disrupted by providing lactation time to the applicable employee in accordance with applicable law, then the manager, employee, and District Human Resources will engage in a good-faith interactive process to identify reasonable accommodations for expressing breast milk, or address other needs related to breastfeeding.

Ratified February 5, 2020