



THE CITY OF SAN DIEGO

MEMORANDUM

DATE: March 8, 2017
TO: All City Employees
FROM: Scott Chadwick, Chief Operating Officer
SUBJECT: Lactation/Breastfeeding Accommodation Policy

The City is committed to providing a workplace that accommodates an employee who desires to breastfeed, express or pump breast milk for their infant child, while at work. The purpose of this memorandum is to set forth the City's Lactation/Breastfeeding Accommodation Policy. This Policy complies with applicable California law regarding lactation/breastfeeding accommodations. (See California Labor Code sections 1030-1033 and the California Fair Employment and Housing Act).

LACTATION/BREASTFEEDING ACCOMMODATION:

1. No employee shall be discriminated or retaliated against for breastfeeding, expressing or pumping breast milk, or for any medical conditions related to breastfeeding.
2. Employees who wish to breastfeed, express or pump breast milk should notify their supervisor of their need for a Lactation/Breastfeeding Accommodation.
3. The City will provide a "reasonable amount" of break time to accommodate an employee who desires to breastfeed, express or pump breast milk.
 - a. For purposes of this Policy, a "reasonable amount" of break time depends on the following factors:
 - i. The time needed to walk to and from the designated Lactation Room;
 - ii. Whether the employee has to set-up her own pump;
 - iii. The efficiency of the pump;
 - iv. The facilities readily available to the employee to ensure the cleanliness of the pump;
 - v. The time needed to label and store the milk.
 - b. Where possible, the break time should coincide with the employee's established paid rest breaks or unpaid lunch period.
 - c. We encourage supervisors to work with employees if an employee needs to take additional breaks, although the additional breaks will be unpaid.
4. The City will make a reasonable effort to provide employees with the use of a room or other location.

- a. If the Lactation Room in a facility has a dual purpose (for example: the Lactation Room is also a conference room), please give priority to the lactating employee.
 - i. If an employee feels comfortable breastfeeding, expressing or pumping breast milk in her office, she may do so. The office would be the employee's designated Lactation Room. The employee should post the template sign on their door while the office is in use for lactation purposes.
- b. The Lactation Room should:
 - i. Not be a restroom;
 - ii. Be in close proximity to the employee's work location;
 - iii. Be free from intrusion or disruption so as to not interrupt the employee;
 - iv. Have a lock on the door;
 - v. Ensure privacy (i.e. drawing blinds or curtains, covering curtain-less windows, or setting-up a portable partition);
 - vi. Where possible, have an electrical outlet for employees who use an electric breast pump;
 - vii. Where possible, have a nearby safe water source with a sink and/or disinfectant and paper towels;
 - viii. Where possible, have a refrigerator nearby to keep breast milk.
- c. When an employee is using the Lactation Room, the employee should post a sign on the door to ensure their privacy.
 - i. A template sign has been created and is available on *Citynet* for posting on the designated Lactation Room door. The sign says, "Private In Use, Please Do Not Knock or Enter."
- d. Employees may store labeled breast milk in employee designated refrigerators or may choose to bring their own cooler to store their milk.

If you have any questions regarding this Policy, please contact the Human Resources Department at (619) 236-6313. Thank you.