

CITY OF NEWPORT BEACH
ADMINISTRATIVE PROCEDURE

LACTATION ACCOMMODATION POLICY

Purpose

The City of Newport Beach recognizes the need to promote a work environment that is supportive of breastfeeding employees. The City encourages employees and management to have a positive, accepting attitude of working women and breastfeeding.

In accordance with federal and state laws, it is the policy of the City to accommodate nursing employees' lactation needs as set forth herein.

Locations

- Appropriate private space shall be provided with reasonable efforts made for the location to be near the nursing employee's work area. The space shall be clean, safe, and free of toxic or hazardous materials. The space shall have access to electricity and a sink with running water; contain comfortable seating with a surface to place a breast pump and personal items; and, shielded from view and free from intrusion while an employee is expressing milk in private. A refrigerator suitable for storing milk near the nursing employee's workspace should be provided. If a refrigerator cannot be provided, the City may provide another cooling device suitable for storing milk, such as an employer-provided cooler.
- Where a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over the other uses, but only for the time it is in use for lactation purposes. Nursing mothers are provided with the following locations throughout the City that are available to express milk:

LOCATION	FACILITY
City Hall	Mothers' Room located in Human Resources ¹
Police Department	Women's locker room
General Services	Women's lounge
Utilities	Women's lounge
Central Library	First Aid room
Balboa Library	Staff lounge with blinds
Corona del Mar Library	Library Vacant office
Mariner's Library	Staff lounge

¹ Please review the attached Mother's Room Guidelines when scheduling the Mother's Room located at City Hall, Bay A, second floor.

Balboa Yacht Basin	Women's lounge
Lifeguard Headquarters	Women's locker room/conference room
Oasis Senior Center	Vacant office/conference room

- For non-traditional worksites, the employee and supervisor will enter a good faith interactive process to identify reasonable accommodations.

Lactation Accommodation Request Procedure

- Employees have a right to request lactation accommodation each time the employee has need to express breast milk, for such time as provided by state or federal law. An employee who has a need for lactation accommodation should inform their supervisor and discuss any relevant workload or scheduling issues. Upon receipt of a request, the supervisor shall inform the employee of the available space for the locations identified above or meet and confer with the employee regarding the availability of appropriate space.
- An employee shall be relieved of all work duties while expressing milk. The supervisor and employee shall discuss a schedule for expressing milk, which should take place during the employee's break and meal period. If additional time is needed, based on the operations of the department, the employee may choose to take flex leave to cover additional breaks. A schedule for additional breaks should be pre-arranged with the employee's supervisor.
- The supervisor shall contact the Human Resources Department for advice, and they are unable to locate appropriate space or agree upon a break schedule.

Notice/Information

- The Human Resources Department shall provide a copy of this policy to employees as part of the information the employee receives upon hiring, upon inquiry, prior to an employee taking parental leave and after an employee returns to work from leave. The Human Resources Department should document furnishing the policy to employees on all occasions.
- The Human Resources Department shall continue to be the lead agency for equal employment opportunity and equity-related policies, complaint resolution, and reasonable accommodation. As such, the Human Resources Department shall be the lead agency for lactation accommodation and shall monitor and provide guidance to departments for compliance with this directive and other non-discrimination laws, policies and procedures, and recommended training.

¹ Please review the attached Mother's Room Guidelines when scheduling the Mother's Room located at City Hall, Bay A, second floor.

Zero Tolerance

- Breastfeeding should not constitute a source of discrimination in employment or in access to employment. It is prohibited under this policy to harass or retaliate against a breastfeeding employee; such conduct unreasonably interferes with an employee's work performance and creates an intimidating, hostile or offensive working environment. Any incident of harassment or retaliation of a breastfeeding employee will be addressed in accordance with the City's policies and procedures for discrimination and harassment.

Filing a Complaint

- Nursing employees who feel they have been denied appropriate accommodation shall contact the Human Resources Department. Also, an employee may file a complaint with the Labor Commissioner's Office for any alleged violation of the state's lactation accommodation laws (Labor Code Section 1030 *et seq.*)

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