

City of Richmond

Administrative Policy Manual

SUBJECT: Lactation in the Workplace

SECTION: Human Resources

POLICY NUMBER: AP 317

INITIAL DATE PREPARED: December 3, 2024

LAST DATE REVISED:

I. Purpose

The City of Richmond (City) will provide an employee with reasonable break time and access to a designated location providing privacy for the purpose of expressing milk for an employee's infant child each time the employee has a need to express milk.

All City employees must recognize that an employee's decision to express milk in the workplace is a legally protected right and a decision supported by the City.

II. Policy

Employees must request lactation accommodation break time in writing to their Department Head, supervisor, and/or designee. The Department Head, supervisor, and/or designee will respond to all requests, and will indicate in writing if the City is unable to provide requested break time. Breaks may be reasonably delayed if they would seriously disrupt operations.

The City will provide a reasonable amount of break time to accommodate any employee desiring to express breast milk for the employee's infant child each time the employee has a need to express milk. The break time shall, if possible, run concurrently with any break time already provided to the employee. 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. Departments must allow employees reasonable breaks for this purpose.

The City has designated appropriate lactation rooms for its employees at each City building. Each lactation room is not a bathroom and meets the requirements of state law concerning lactation accommodation in that it:

- 1) is shielded from view and free from intrusion while the employee expresses milk;
- 2) contains a surface to place a breast pump and personal items;
- 3) contains a place to sit;
- 4) has access to electricity as needed to operate a breast pump.;
- 5) is safe, clean and free of hazardous material; and
- 6) provides access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the employee's workspace. If a refrigerator cannot be provided, the City may provide another cooling device suitable for storing milk, such as a City-provided cooler.

City of Richmond

Administrative Policy Manual

Lactation in the Workplace

When a lactation room is used for other purposes, the use of the room for lactation shall take precedence, but only for the time it is used for lactation purposes.

Employees must request in writing to their Department Head, supervisor, and/or designee to use another location other than the designated lactation room, such as their own office (if applicable), for purposes of expressing milk in private. Upon the approval of such a request for an alternative location, the Department Head, supervisor, and/or designee will also confirm where the employee can access a sink with running water and a refrigerator suitable for storing milk that is in close proximity to the employee's workspace.

Employees using the designated lactation room or other approved private areas to express milk shall make it clear through signage that the area is occupied and should not be disturbed. All other employees should avoid interrupting an employee during an authorized break to express milk, except to announce an emergency or other urgent circumstance.

III. Policy Implementation

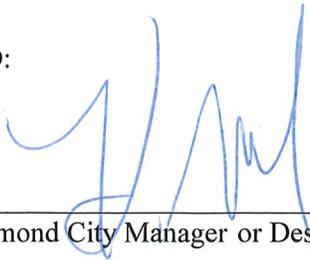
Each City Department is responsible for implementing this Lactation in the Workplace Policy. The Human Resources Director is responsible for ensuring compliance with this policy. A Department may develop its own lactation accommodation policy if all requirements stated in the City's Lactation in the Workplace Policy are included.

Employees and applicants for employment who believe a City employee has violated this policy may file a complaint with City of Richmond Human Resources Department.

An employee who believes the City has not provided them with an appropriate lactation accommodation as required by Labor Code Section 1030, has the right to file a complaint with the California Division of Labor Standards Enforcement/Labor Commissioner.

In addition, any employee who is a victim of retaliation for either asserting a right to lactation accommodation or for complaining to the Labor Commissioner about the failure of an employer to provide this accommodation may file a retaliation claim pursuant to Labor Code Section 98.7. An employee must file a retaliation claim with the Labor Commissioner's Office within six months of the retaliation.

APPROVED:



City of Richmond City Manager or Designee

12/3/2024

Date