



This document provides the Pasadena Area Community College District (District) Lactation Support Program policy and procedures, and provides notice for District employees and management regarding implementation of the program and available accommodations.

Pursuant to the California Fair Employment and Housing Act, Labor Code Chapter 3.8 Sections 1020-1033, and the federal Fair Labor Standards Act section 7, "Patient Protection and Affordable Care Act," employers shall provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child. The break time shall whenever possible, run concurrent with any break time already provided to the employee. Break time for an employee that does not run concurrent with the rest time authorized for the employee shall be unpaid.

The District recognizes the importance of supporting faculty and staff who breastfeed and choose to express milk during work hours. In accordance with the California Fair Employment and Housing Act and the Patient Protection and Affordable Care Act section of the Fair Labor Standards Act, the District will provide reasonable unpaid breaks and sanitary and private Lactation Support Rooms for the exclusive use of employees to express breast milk for as long as needed.

Eligible Employees

Any District employee desiring to express breast milk shall be accommodated and will be eligible for use of a Lactation Support Room.

Location

The District shall make reasonable efforts to provide a nursing employee with the use of a room or other location, other than a toilet stall or locker room, in proximity to the employee's work area for the employee to express milk in private. The room or location shall be shielded from view and free from intrusion of coworkers and the public. The rooms will be centrally located to accommodate employees that work in various buildings; however, the rooms will not necessarily be located in the building in that an employee is assigned. An employee assigned to a private unshared office may use that room.

Designated Lactation Support Rooms will contain a supportive chair, a table, an accessible electrical outlet, adequate ventilation, and a door that can be locked.

Room Access

Access to Lactation Support Rooms will be unscheduled and on a first-come, first-served basis. Any employee who wishes to use the room must first contact Human Resources to arrange lactation support accommodations and to be provided instructions for use of and access to the room. A designated manager (or his/her designee) within the building where the room is located will be responsible for the key to the room. When the employee receives the key, she is then responsible for that key and for returning it to the designated manager when finished.

Use of Room

The Lactation Support Rooms are for the exclusive use of nursing employees, on a first-come, first-served basis, and one at a time. Each nursing employee user of the room is responsible for keeping the room clean and removing personal items when leaving. If an employee finds the room in disarray, she is to contact Human Resources.

Break Time

The District shall provide a reasonable amount of unpaid break time to accommodate an employee who desires to express breast milk. The supervisor shall permit the employee to take breaks to express milk whenever and as often as needed. Whenever possible, the break time shall run concurrent with any break time already provided to the employee. For example, employees who work 5 hours or more are provided two (2) twenty (20) minute paid rest breaks and one (1) one-half (1/2) hour unpaid meal break; employees who work less than 5 hours are provided one (1) twenty 20 minute paid rest break. Therefore, an employee who works eight (8) hours would have three (3) provided breaks; and an employee who works four (4) hours would have one (1) provided break. An employee may need other breaks, in addition to the provided breaks. The frequency of the breaks needed by an employee, as well as the duration, may vary.

Termination of Accommodation

An employee may use the lactation support room for as long as needed. When the employee no longer has need of the Lactation Support Room, she must inform Human Resources and her supervisor, and return to her regular break schedule.

1. Approximately two weeks prior returning to work, or as soon as possible, the employee must contact Human Resources to inform the District of the employee's desire to use a Lactation Support Room.
2. Human Resources will work with the facilities department to arrange a lactation support location in close proximity to the employees work area.
3. Human Resources will inform the employee of her rights and responsibilities for use of the lactation support room, its location, and the location of the key.
4. Human Resources will inform the employee's supervisor of the employee's need for accommodation pursuant to the Lactation Support Program policy, and the requirement to allow the employee to take reasonable unpaid breaks to express milk as frequently as needed.
5. The employee must arrange with her supervisor appropriate break time during the workday to express milk. The breaks, whenever possible, should coincide with the employee's regular paid breaks and unpaid mealtime.
6. The employee must inform her supervisor when she needs break time in addition to or instead of those times that coincide with her provided breaks. The employee will not be paid during break time taken that does not run concurrent to her paid breaks. The employee is also to notify her supervisor when she will be away from her regular work area.
7. The employee is to inform Human Resources and her supervisor when she no longer has a need to use the Lactation Support Room.
8. The employee is responsible for providing her own breast pump or other equipment needed.

PROHIBITIONS ON RETALIATION

It is a violation of District policy and state and federal laws to discriminate or retaliate against an employee who request or exercise her right to receive accommodation pursuant to the Lactation Support Program policy, or to deny the employee break time each time the she needs to express milk.

Any attempted reprisal, intimidation, coercion, or other threat to a participant of the Lactation Support Program constitutes unacceptable and unlawful conduct, which would not be tolerated. If any employee feels she has been discriminated against or denied her rights under this policy, she may file a retaliation complaint with the Human Resources Department or with Department of Labor Wage and Hour Division.