



COUNTY OF INYO

LACTATION ACCOMMODATION POLICY

INTRODUCTION

The County of Inyo (County) recognizes the need to promote a work environment that is supportive of breastfeeding employees who wish to continue nursing their children when they return to work. Allowing employees to express milk periodically during the work day is beneficial not only to the employee, but also the employer and the community. Healthier employees and babies mean fewer employee absences and lower health care costs.

STATEMENT OF POLICY

The County encourages employees and management to have a positive, accepting attitude of working women and breastfeeding. The County's Lactation Accommodation Policy shall be disseminated to every incoming employee, as well as to employees requesting parental leave. In accordance with Federal and California State laws, it is the policy of the County to accommodate nursing employees' lactation needs by providing:

1. Reasonable break time to express milk or breastfeed (lactation time)

If possible, the lactation time should be the same as the employee's regular break time.

The County must make separate time available if an employee needs extra or different time than their regularly scheduled breaks. Any time beyond the employee's regular break time will be unpaid. At management's discretion, beginning or ending work times may be adjusted to accommodate these breaks.

2. An appropriate private location

Appropriate private space shall be provided with reasonable efforts made for the location to be in close proximity to each nursing employee's work area. The space should be safe, clean, and free from hazardous materials, contain a surface to place a breast pump and personal items, be equipped with an electrical outlet, and have comfortable seating.



The location may be the place where the nursing mother normally works if there is adequate privacy (e.g., the employee's private office, a supervisor's private office, or a conference room that can be secured and free from intrusion or interruption while the employee is engaged in lactation).

Areas such as restrooms, closets, or storage rooms are not appropriate spaces for lactation purposes. Storage rooms that do not contain noxious materials may be converted to be acceptable private spaces and serve as a lactation room, if necessary, to assist with closer proximity to the nursing employee's work area. If the multipurpose room is used for lactation among other uses, the use of the room for lactation shall take precedence.

A sink with running water and a refrigerator suitable for storing milk (or another cooling device) shall be made available in close proximity to the employee's workplace.

For non-traditional worksites, the employee and the supervisor and/or County's Human Resources Department should enter into a good faith interactive process to identify reasonable accommodations.

3. Notice/Information

The County's Human Resources Department shall provide a copy of this policy to employees prior to their maternity leave and after returning to work. Coordinators should document furnishing the policy to employees on both occasions.

The Human Resources Department shall continue to be the lead agency for equal employment opportunity policy, complaint resolution, and reasonable accommodation. As such, HR shall be the lead division for lactation accommodation and shall monitor and provide guidance to other divisions for compliance with this directive and other non-discrimination laws, policies and procedures, and recommended training.

LACTATION ACCOMMODATION REQUEST PROCEDURE

An employee has the right to request lactation accommodation. An employee who has need for lactation accommodation should inform her supervisor and/or County's Human Resources Department and discuss any relevant workload or scheduling issues (including any individual requirements for more frequency or longer lactation breaks).



Supervisors and/or Human Resource Staff who receive a lactation accommodation request shall do the following:

1. Review available space in the division/facility and prepare to provide appropriate nearby space and break time.
2. Contact the Risk Management Department for advice and assistance if you are unable to locate appropriate space to meet an employee's request.
3. Respond promptly to the employee's request detailing accommodations that will be made.

ZERO TOLERANCE

Breastfeeding should not constitute a source of discrimination in employment or in access to employment. This policy expressly prohibits any form of harassment toward 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 of a breastfeeding employee will be addressed in accordance with the County's policies and procedures for discrimination and harassment. This policy also prohibits all forms of retaliation, reprisal, or threats of reprisal toward a breastfeeding employee who requests or uses a lactation accommodation.

FILING A COMPLAINT

Nursing mothers who feel they have been denied appropriate accommodation or have been subject to discrimination, acts or threats of retaliation, or harassment are encouraged to contact the Human Resources Department. The Human Resources Department may be contacted for information to file a complaint. Investigations will be conducted in accordance with the County's Discrimination Complaint Procedure.

Employees have the right to file a complaint with the labor commissioner in the Department of Industrial Relations (DIR) for any violation of rights provided under Chapter 3.8 of the California Labor Code regarding lactation accommodations.



Complaints may also be filed with the State Compliance Agency (Department of Fair Employment and Housing (DFEH), and/or the Federal compliance agency (Equal Employment Opportunity Commission (EEOC)).

Kiosk #2:

Kiosk No. 2 is located in the breezeway of the County Annex Building in Independence. This kiosk shall be considered the countywide posting location for all noticing requirements other than the Board of Supervisors. The Public Works Department, the Planning Department, and Central Services have been assigned keys to the kiosk and it is the responsibility of the Boards, Committees, Commissions and sub-committees, or the coordinating departments, to obtain access to Kiosk No. 2 through those departments.

POSTING GUIDELINES:

1. All meeting notices/agendas will be posted 72 hours prior to the meeting date or as required by statute.
2. All agendas, other than the Board of Supervisors meetings, shall be posted in the kiosk located in the breezeway at the County Annex Building in Independence.
3. All agendas shall also be posted at the location of the meeting.
4. All Board of Supervisors Agendas shall be posted 72 hours prior to the meeting date in the kiosk located at the County Administrative Center, in Independence.