

Guadalupe-Coyote Resource Conservation District (GCRC D)

Lactation Accommodation Policy

I. GENERAL PROVISIONS

Governance. The Board of Directors (“Board”) for the Guadalupe-Coyote Resource Conservation District (“District”) consists of five members (“Director”) of the Board. As the governing body of the District, the Board reviews and approves District policies. The Board has delegated responsibility for policy administration to the District’s Executive Director (“ED”), including but not limited to the development of procedures and internal controls to implement the policies.

Purpose of the Policy. The District recognizes that breast milk is the optimal food for growth and development of infants. The purpose of this policy is to establish guidelines promoting a work environment that supports breastfeeding; establish that employees have a right to request lactation accommodation; establish the District’s obligation to respond to lactation requests and to provide a written response; establish that employees have a right to request lactation accommodation; establish the District’s obligation to respond to lactation requests and to provide a written response to the employee if it cannot provide break time or a compliant location; establish the employee’s right to file a complaint with the Labor Commissioner for any related violation; and to comply with Labor Code 1034 (Labor Code 1034 (a) through (d))

Policy Revisions. The Board reviews District policies annually. Any Director or the ED may make recommendations for changes to a policy at any time, but all policy changes require approval by the Board.

Statement of Non-Discrimination. The District conducts its business on a non-discriminatory basis, without regard to race, creed, color, national origin, ancestry, sexual orientation, political affiliation or beliefs, sex, age, physical handicap, medical condition, marital status or pregnancy (as those terms are defined by the California Fair Employment and Housing Act – Government Code Section 12900-12996). Additionally, the Board has adopted a Statement of Diversity and Inclusion to ensure diversity and environmental justice are key components of the District’s strategic planning and programmatic work.

II. GUIDELINES

Breaks. A reasonable amount of break time must be provided to employees who want to express breast milk or nurse their infant. The break time shall, if possible, run concurrently with the employee’s lunch and break time. If the time for an employee’s break time does not run concurrently or when additional time is necessary, the break time may be unpaid. With Executive Director approval, the employee may use personal leave, vacation time,

sick leave, comp time, or a flexed work schedule to cover any unpaid break time.

Lactation Space Requirements. The District will provide breastfeeding employees with space in close proximity to their work area that is shielded from view and free from intrusion from colleagues and the public, to express breast milk. The room or location may include the place where the employee normally works if it otherwise meets the requirements of the lactation space. The lactation space will:

- Not be a restroom.
- Be safe, clean, and free from toxic or hazardous materials
- Contain a place to sit, a surface to place a breast pump, and personal items.
- Have access to electricity.
- Have access to a sink with running water and a refrigerator in close proximity to the employee’s work area.
- Potentially be a multi-purpose room if it satisfies the requirements for space; however, use of the room for lactation takes priority over other uses.

Lactation Accommodation Requests. Breastfeeding employees who wish to express milk during working hours must submit a written lactation accommodation request to the Executive Director at least five (5) business days in advance before the start of the request. Any additional breaks needed to express milk beyond the employee’s regular breaks/lunch breaks must be indicated in the request. The Executive Director will be responsible for ensuring a lactation space is made available to the employee.

III. EMPLOYER RECORDS

The District will maintain a record of the written requests for lactation accommodations that include the name of the employee, the date of the request, and a description of how the District resolved the request. If an employer denies a request for Lactation Accommodation, it must save the written denial. All of these records must be maintained for three years from the date of the request. The employee has the right to appeal a denial to the Board of Directors.

IV. RETALIATION

California law expressly prohibits retaliation against lactating employees for exercising their rights. This includes those who request time to express breast milk at work and/or who lodge a complaint related to the right to lactation accommodations. An employee who feels they are being retaliated against has the right to file a complaint with the Department of Industrial Relations.

Policy Change Log:

Date	Action
11/19/2020	Board adopted policy.