**Lactation Accommodation [New Section]**

**X.1 Lactation Break: The City shall provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee’s child. The break time shall, if possible, run concurrently with any break time already provided to the employee.**

* **The number of minutes needed to express breast milk per Lactation Break and the number of Lactation Breaks needed per day varies from employee to employee, and may change over time for the same employee. If the City seeks to limit the duration of an employee’s Lactation Break or the number of Lactation Breaks per day, the City must demonstrate that the duration of the break requested by the employee is unreasonable.**
* **The time that it takes an employee to get to and from the City’s designated Lactation Location and, if at a separate location, to and from a refrigerator and a sink with running water, shall not be included as part of the employee’s break time.**
* **Lactating employees may use breaks to breastfeed a child at a nearby childcare facility.**
* **The City may not impose a limit on the duration of a Lactation Accommodation (e.g., months or years).**

**X.2 Lactation Location:**

**The parties agree to jointly propose to City Council to add to the Capital Improvement Program to provide sufficient and appropriate lactation locations in order to comply with this provision as well as the applicable Administrative Regulations and State Laws.**

**The City shall provide a Lactation Location, other than a bathroom, in close proximity to the employee’s work area that is shielded from view and free from intrusion from co-workers and the public.**

* **One lactation room shall be made available at any City worksite where there are 1-40 employees.**
* **Two lactation rooms shall be available at any City worksite with 41-100 employees.**

**The Lactation Location shall also include:**

* **The room shall be at least 50 square feet, and be located no more than 500 feet or within two adjacent floors from the farthest employee workspace that it is designated to serve.**
  + **If a lactation room needs to accommodate multiple employees, appropriate space and privacy partitions must be provided by the city.**
* **Be safe, clean, and free of toxic or hazardous materials;**
* **Contain a surface (e.g., a table or shelf) to place a breast pump and other personal items;**
* **Contain a place to sit; and**
* **Have access to electricity.**

**The City shall provide, in close proximity to the employee’s work area, access to a refrigerator where the employee can store breast milk and access to a sink with running water.**

**Lactation Location, refrigerator, and sink with running water should not be placed so far away that it would be likely to deter a reasonably similarly situated person from exercising their rights under the lactation accommodation. If a refrigerator cannot be provided, the City may provide another cooling device suitable for storing milk, such as a City-provided cooler.**

**Any Questions regarding the application of the City’s Lactation Accommodation Policy should be directed to the City’s Human Resources Department.**