

UC Davis Policy and Procedure Manual

Chapter 380, Personnel--General

Section 25, Lactation Accommodation

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Supersedes: New

Responsible Department: Human Resources

Source Document: California Labor Code Section 1030-33

I. Purpose

This section provides the requirements for lactation accommodation at the University for employees and students who breastfeed their children after returning to work or school. This policy meets the requirements outlined in California state law AB 1025.

II. Policy

The University of California is committed to providing a supportive environment that enables employees and students to express their milk in private, in an appropriate space, and in reasonable proximity to their work and study areas.

A. Lactation break

1. Nursing mothers must request and arrange with their supervisor appropriate and reasonable break times for lactation purposes. Supervisors should attempt to provide as much schedule flexibility and break time as reasonably possible to accommodate the employee's needs.
2. An employee may be granted a flexible work arrangement to allow for time off to express milk. See Procedure 31.1., Exhibit A at <http://manuals.ucdavis.edu/spp/ppsm31a.pdf>
3. Break times for lactation purposes should run concurrently with the rest periods already provided; the supervisor is responsible for making the determination as to whether break times can be adjusted based on operational considerations.

If the determination is made that it is not possible for the breaks to run concurrently with the employee's existing break times, the University must make available separate break times, but this time will be unpaid for non-exempt employees.

B. Lactation facilities

1. The University is required to provide a private, secure, and sanitary area for employees and students to express breast milk.
 - a) The space must have an electrical outlet and must be in close proximity to the employee's work area. Appropriate locations would include the employee's own office, another private office not in use, or any available area with a locking door where the employee can have privacy from others for lactation purposes. Departments are encouraged to identify appropriate facilities in advance of the employee's return to work after childbirth.
 - b) A toilet stall or a room lacking privacy and a locking door is not considered an appropriate space for lactation purposes.
2. An employee or student may express breast milk in her work area or study area or other location if it meets the above requirements.

C. Identification and support

1. Upon notification by an employee of her pregnancy and intent to breastfeed, the supervisor will discuss lactation options in preparation for her return to work after the birth of her baby. The supervisor will advise the employee of her right to a reasonable amount of break time and a private location to express breast milk.
2. The supervisor will inform the employee of the resources available through the campus Breastfeeding Support Program. <http://worklife-wellness.ucdavis.edu/breastfeedingsupport/>

III. References and Related Policies

- A. California Labor Code Section 1030-1033, Lactation Accommodation (<http://leginfo.legislature.ca.gov/faces/codes.xhtml>).
- B. California Civil Code Section 43.53, Personal Rights (<http://leginfo.legislature.ca.gov/faces/codes.xhtml>).
- C. Personnel Policies for Staff Members UCD Procedure 31, Exhibit A, Workplace Flexibility Arrangements (<http://manuals.ucdavis.edu/spp/spp-toc.htm>)
- D. University of California Policy PPSM 84 Accommodations for Nursing Mothers (<http://policy.ucop.edu/doc/4000609/PPSM-84>).