

RESOLUTION NO. _____

**RESOLUTION OF THE HUMBOLDT COUNTY BOARD OF SUPERVISORS ADOPTING
A COUNTYWIDE POLICY REGARDING LACTATION ACCOMMODATION**

WHEREAS, the Board of Supervisors of the County of Humboldt (County) is authorized by the provisions of Section 25300 of the Government Code of the State of California to provide for the number, compensation, tenure, appointment and conditions of employment of County employees; and

WHEREAS, the Board of Supervisors wishes to adopt detailed policies regarding lactation accommodations.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board of Supervisors adopts the Lactation Accommodation Policy (“Policy”) attached hereto as Exhibit A.
2. The Policy shall become effective upon Board approval of this resolution.
3. The Human Resources Director, in conjunction with the County Administrative Officer and County Counsel is authorized to make style and format changes to the Policy.

Dated: January 14, 2020

Estelle Fennell, Chair of the Board
Humboldt County Board of Supervisors

Adopted on motion by Supervisor, Seconded by Supervisor, and the following vote:

AYES:

NAYS:

ABSENT:


ABSTAIN:

STATE OF CALIFORNIA)

County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.
KATHY HAYES Clerk of the Board of Supervisors of the County of Humboldt, State of California.

POLICY NUMBER: HR2020-003	POLICY TITLE: Lactation Accommodation	
RESOLUTION NUMBER:		
ORIGINAL ISSUE DATE: 1/14/2020 REVISION DATE:	POLICY CONTACTS: Human Resources	
RELATED DOCUMENTS:	RELATED POLICIES:	

Contents

Lactation Accommodation	1
SECTION I – PURPOSE	2
SECTION II – APPLICABILITY	2
SECTION III – DEFINITIONS.....	2
SECTION IV – POLICY	2
SECTION V – PROCEDURE	3

SECTION I – PURPOSE

To inform all Employees of their right and the process to request a lactation accommodation, the county’s obligations, and Employee rights.

SECTION II – APPLICABILITY

This policy applies to all County of Humboldt employees. For the purposes of this policy, “Employee” as defined below includes appointed and elected officials.

SECTION III – DEFINITIONS

Employee: Officers, deputies, assistants and all other persons employed by the county of Humboldt including permanent, probationary, part-time and extra help employees.

Lactation room or location: a room or other location for the Employee to express milk in private. The room or location may include the place where the Employee normally works if it otherwise meets the requirements of this policy.

1. A lactation room or location shall not be a bathroom and shall be in close proximity to the Employee’s work area, shielded from view, and free from intrusion while the Employee is expressing milk.
2. A lactation room or location shall comply with the following requirements:
 - a. Be safe, clean, and free of hazardous materials, as defined in Labor Code Section 6382.
 - b. Contain a surface to place a breast pump and personal items.
 - c. Contain a place to sit.
 - d. Have access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump.

SECTION IV – POLICY

- A. The county shall provide a lactation room or location and a reasonable amount of break time to accommodate an Employee desiring to express breast milk for the Employee's infant child each time the Employee has need to express milk. The break time shall, if possible, run concurrently with any break time already provided to the Employee. The lactation break begins when the Employee reaches the lactation room or location. Break time for an Employee that does not run concurrently with the rest time authorized for the employee shall be unpaid. Employees may use benefit time to compensate for any unpaid time that occurs in accordance with their Memorandum of Understanding (MOU).
- B. The county shall provide access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the Employee's workspace. If a refrigerator cannot be provided, the county may provide another cooling device suitable for storing milk, such as a county-provided cooler.
- C. Where a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over the other uses, but only for the time it is in use for lactation purposes.
- D. The county may comply with this policy by designating a lactation room or location that is temporary, due to operational, financial, or space limitations. These temporary spaces shall not be a bathroom and shall be in close proximity to the employee's work area, shielded from view, free from intrusion while the employee is expressing milk, and otherwise compliant with this policy.

SECTION V – PROCEDURE

- A. Request Procedure
 - 1. Employees desiring to take lactation breaks must notify a supervisor and establish a schedule and location for breaks.
 - 2. Breaks may be reasonably delayed if they would seriously disrupt operations.
 - 3. Once approved, the breaks should not be interrupted except for emergency or exigent circumstances.
 - 4. If the county cannot provide break time or a location that complies with this policy, the county shall provide a written response to the employee.
- B. Complaints
 - 1. An employee may report a violation of this policy to the Labor Commissioner's field enforcement unit.
 - 2. Questions concerning the application of this policy should be directed to the Human Resources Director, or designee.

3. The county shall not discharge, or in any other manner discriminate or retaliate against, an Employee for exercising or attempting to exercise any right protected under this policy.

C. The county shall distribute this policy to new Employees upon hiring and when an Employee makes an inquiry about or requests parental leave.

Board Approved:

Pursuant to Board Order _____ Dated _____