



PPSM 84: Lactation Accommodations for Nursing Mothers

[PPSM-84: Adaptaciones para madres lactantes](#)

[PPSM-84: 為哺乳母親提供的便利](#)

[PPSM-84: Mga Akomodasyon para sa mga Inang Nagpapasuso](#)

Responsible Officer:	Vice President – Systemwide Human Resources
Responsible Office:	SHR – Systemwide Human Resources
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I. POLICY SUMMARY

~~In promoting a family-friendly work environment, the University of California aims to promote a family-friendly work environment. As such, the University recognizes the importance and benefits of supporting lactation breastfeeding for employees both mothers and their children infants.~~

The University will make private space available with appropriate amenities for lactation purposes. ~~The University and will also provide a reasonable amount of lactation-break time to accommodate the needs of lactating periods for employees who are breastfeeding (hereinafter referred to as "nursing mothers").~~

II. DEFINITIONS

Detailed information about common terms used within Personnel Policies for Staff Members can be found in [Personnel Policies for Staff Members 2 \(Definition of Terms\)](#).

III. POLICY TEXT

A. *Lactation SpacesFacilities*

~~The University will provide, in close proximity to the nursing mother's work area, appropriate sanitary and private space with a table, electrical outlet, and comfortable chair. a locked, private space that is shielded from view and free from intrusion while the employee is expressing milk. The space will be sanitary with including appropriate temperature and ventilation. It will be safe, clean, and free of hazardous materials.~~

~~An appropriate lactation facilities space can be any available space that complies with the requirements of this policy, including, but are not limited to, the employee's private office, another private office not in use, or a multipurpose or conference room that can be secured, a multi-purpose room. If a multipurpose room is used for lactation, lactation use will take precedence over other uses, but only for the time it is in use for lactation purposes. or any available space with a locking door that is shielded from view and free from intrusion from co-workers, students, and the public.~~

~~Bath Restrooms, spaces lacking privacy, and or spaces lacking a locking door are not considered appropriate lactation spaces for lactation purposes. However, an anteroom or lounge area connected to a restroom may be sufficient if the space is private, free from intrusion, and can be locked and shielded from view. While the employee is expressing milk, the employee must be free from observation by any University-provided video system, including computer cameras, security cameras, or web conferencing platforms.~~

~~The space will be and equipped with a table, comfortable chair; contain a surface to place a breast pump and personal items; and have access to electricity or alternative devices (including but not limited to extension cords or charging stations) at outlet needed to operate an electric or battery-powered breast pump. If possible, the lactating on employee must space either will be located near a source~~

of running water or will have access to a sink with running water and a refrigerator suitable for storing milk, either in the lactation space or in close proximity to the employee's workspace. If a refrigerator cannot be provided, the University may provide another cooling device suitable for storing milk, such as a cooler. in it. The space will be in close proximity to the lactating employee-nursing mother's work area, generally not more than a five to seven 5-7 minute walk each way.

Due to operational, financial, or space limitations, the University may designate a lactation space that is temporary so long as it complies with the requirements of the policy.

B. Lactation Break Period

The University will provide a reasonable amount of break time to accommodate an employee wanting to express milk for the employee's child each time the employee has need to express milk the needs of nursing mothers. Break schedules, including the frequency, duration, and timing of breaks, will vary depending on factors related to the lactating employee and the child.

1. Exempt employees:

In accordance with Personnel Policies for Staff Members 30 (Compensation), For exempt employees, the time provided for lactation break periods does not need to be recorded.

2. Non-exempt employees:

Non-exempt employees may use their regular If possible the nursing mother's lactation break period should be concurrent with an existing rest breaks period to express milk.

Supervisors are encouraged to allow flexible scheduling of regular rest periods, whenever possible, to accommodate lactation breaks. Additional reasonable lactation breaks must be offered if needed

If the lactation break period cannot run concurrently with the rest period, the University will make separate lactation break time available. Any additional The separate lactation break period during which no work is performed will be unpaid.

Supervisors are encouraged to allow flexible scheduling, whenever possible, to accommodate lactation breaks.

No negative employment actions will be taken when requests for accommodation are made pursuant to this policy.

C. Lactation Accommodation Requests

Employees have the right to request lactation accommodation and may request lactation accommodation verbally or in writing by contacting their supervisor, the location's Disability Manager, and/or Human Resources. Lactating employees are A nursing mother is encouraged to communicate discuss needs, in terms of accommodations as well as the frequency and timing of breaks, with their her

supervisors. These shared discussions will help nursing mothers and supervisors arrange for mutually agreeable break times, typically 2-3 times a day.

A supervisor who receives a lactation accommodation request will work, as needed, with a Human Resources representative or the location's breastfeeding support program representative to identify available appropriate space and determine a break schedule. Break schedules should be based on the needs of a nursing mother and the operational considerations of the University.

No negative employment actions will be taken when requests for **lactation** accommodation are made pursuant to this policy.

G.D. Other Reasonable Accommodation

If an employee needs any other reasonable accommodation related to lactation, the employee may contact their supervisor, the location's Disability Manager, and/or Human Resources. Please refer to Personnel Policies for Staff Members 2.210 (Absence from Work) for additional information regarding leave options and reasonable accommodations related to pregnancy, childbirth, or related medical conditions and to Personnel Policies for Staff Members 81 (Reasonable Accommodation) for additional information regarding reasonable accommodation for employees with disabilities. The University will provide other reasonable accommodation or transfer to a less strenuous or hazardous position upon receipt of information from the nursing mother's health care provider stating that a reasonable accommodation or transfer is medically advisable.

E. Additional Information

An employee who has comments, concerns, or questions regarding **this policy** the University's Policy On Accommodations for Nursing Mothers should contact their local Human Resources Office or the location's breastfeeding support program.

A **lactating employee** nursing mother who believes appropriate accommodations have not been provided should contact their local Human Resources Office. If the University cannot provide break time or a lactation space that complies with this policy, the University shall provide a written response to the employee.

F. Complaints

University policy prohibits discrimination or retaliation against any employee for exercising or attempting to exercise any right under this policy. Employees who believe they have been subjected to discrimination or retaliation or that any of their rights under this policy have been violated are encouraged to submit complaints through their local Human Resources office, Affirmative Action/Equal Opportunity Office, or the University Whistleblower Hotline (<http://universityofcalifornia.edu/hotline> or 800-403-4744). Complaints will be assigned to the appropriate office or officer for review and investigation.

G. Distribution of Policy

Locations will distribute this policy to new employees upon hiring and when employees make inquiries about or request leaves for parental bonding.

IV. COMPLIANCE/RESPONSIBILITIES

A. Implementation of the Policy

The Vice President–Systemwide Human Resources is the Responsible Officer for this policy and has the authority to implement the policy. The Responsible Officer may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation does not require approval by the President. The Responsible Officer may apply appropriate interpretations to clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

The Chancellor is authorized to establish and is responsible for local procedures necessary to implement the policy.

In accordance with [Personnel Policies for Staff Members 1 \(General Provisions\)](#), the authorities and responsibilities delegated to the Chancellor in this policy are also delegated to the Executive Vice President–Chief Operating Officer, Vice President–Agriculture and Natural Resources, Principal Officers of the Regents, and the Lawrence Berkeley National Laboratory Director. Also in accordance with [PPSM 1](#), the authorities granted in this policy may be redelegated except as otherwise indicated.

B. Revisions to the Policy

The President is the Policy Approver and has the authority to approve policy revisions upon recommendation by the Vice President–Systemwide Human Resources.

The Vice President–Systemwide Human Resources has the authority to initiate revisions to the policy, consistent with approval authorities and applicable *Bylaws* and *Standing Orders* of the Regents.

The Executive Vice President–Chief Operating Officer has the authority to ensure that policies are regularly reviewed, updated, and consistent with other governance policies.

C. Approval of Actions

Actions within this policy must be approved in accordance with local procedures. Chancellors and the Vice President–Systemwide Human Resources are authorized to determine responsibilities and authorities at secondary administrative levels in order to establish local procedures necessary to implement this policy.

All actions applicable to PPSM-covered staff employees who are not Senior Management Group members that exceed this policy, or that are not expressly provided for under any policy, must be approved by the Vice President–Systemwide Human Resources.

D. Compliance with the Policy

The following roles are designated at each location to implement compliance monitoring responsibility for this policy:

The Top Business Officer and/or the Executive Officer at each location will designate the local management office to be responsible for the ongoing reporting of policy compliance.

The Executive Officer is accountable for monitoring and enforcing compliance mechanisms and ensuring that monitoring procedures and reporting capabilities are established.

The Vice President–Systemwide Human Resources is accountable for reviewing the administration of this policy. ~~The Director–Systemwide Human Resources Compliance will periodically monitor compliance to this policy.~~

E. Noncompliance with the Policy

Noncompliance with the policy ~~may result in educational efforts, informal counseling, corrective action, and/or discipline. Corrective action and/or discipline are governed by is handled in accordance with~~ Personnel Policies for Staff Members [62 \(Corrective Action\)](#), [63 \(Investigatory Leave\)](#), and [64 \(Termination and Job Abandonment\)](#); ~~Personnel Policies for Staff Members II-64 (Termination of Appointment), which applies to Senior Management Group (SMG) employees; and as applicable, other policies and procedures pertaining to disciplinary and separation matters.~~

V. PROCEDURES

~~Not applicable.~~

Lactation Facilities

~~The University will provide a locked, private space that is sanitary including appropriate temperature and ventilation and equipped with a table, comfortable chair, and electrical outlet. If possible, the lactation space either will be located near a source of running water or will have a sink with running water in it.~~

~~The space will be in close proximity to the nursing mother's work area, generally not more than a 5-7 minute walk.~~

~~Appropriate lactation facilities include, but are not limited to, the employee's private office, another private office not in use, a conference room that can be secured, a multi-purpose room, or any available space with a locking door that is shielded from view and free from intrusion from co-workers, students, and the public.~~

~~Restrooms, spaces lacking privacy, or spaces lacking a locking door are not considered appropriate spaces for lactation purposes. However, an anteroom or lounge area connected to a restroom may be sufficient if the space is private, free from intrusion, and can be locked and shielded from view.~~

F.A. Accommodation Requests

~~A nursing mother is encouraged to discuss needs, in terms of accommodations as well as the frequency and timing of breaks, with her supervisor. These shared~~

~~discussions will help nursing mothers and supervisors arrange for mutually agreeable break times, typically 2-3 times a day.~~

~~A supervisor who receives a lactation accommodation request will work, as needed, with a Human Resources representative or the location's breastfeeding support program representative to identify available appropriate space and determine a break schedule. Break schedules should be based on the needs of a nursing mother and the operational considerations of the University.~~

~~G. Recourse~~

~~An employee who has comments, concerns, or questions regarding the University's *Policy On Accommodations for Nursing Mothers* should contact the local Human Resources Office or the location's breastfeeding support program.~~

~~A nursing mother who believes appropriate accommodations have not been provided should contact the local Human Resources Office.~~

VI. RELATED INFORMATION

- ~~• *Personnel Policies for Staff Members 2 (Definition of Terms)* (referenced in Section II of this policy)~~
- ~~• *Personnel Policies for Staff Members 2.210 (Absence from Work)* (referenced in Section III.D of this policy)~~
- ~~• *Personnel Policies for Staff Members 81 (Reasonable Accommodation)* (referenced in Section III.D of this policy)~~
- ~~• *Personnel Policies for Staff Members 1 (General Provisions)* (referenced in Section IV.A of this policy)~~
- ~~• *Personnel Policies for Staff Members 62, 63, and 64* (referenced in Section IV.E of this policy)~~
- ~~• *Personnel Policies for Staff Members-II 64 (Termination of Appointment)* (referenced in Section IV.E of this policy)~~
- ~~• *Personnel Policies for Staff Members 30 (Compensation)* (referenced in Section III.B of this policy)~~
- ~~• *California Fair Employment and Housing Act, Government Code Section 12926*~~
- ~~• *California Family Rights Act, Government Code Section 12945*~~
- ~~• *California Labor Code Section 1030-1033*~~
- ~~• *Fair Labor Standards Act—29 U.S.C 207.r.1*~~
- ~~• *Patient Protection and Affordable Care Act—Section 4207 (Reasonable Break Time for Nursing Mothers)*~~
- ~~• *U.S. Department of Health and Human Services Agency—The Business Case for Breastfeeding*~~
- ~~• *Personnel Policies for Staff Members 2 (Definition of Terms)*~~

- ~~• [Personnel Policies for Staff Members 2.210 \(Absence from Work\)](#)~~
- ~~• [Personnel Policies for Staff Members 81 \(Reasonable Accommodation\)](#)~~
- [ANR Guide to Supporting Breastfeeding Employees in the Field](#)
- [Lawrence Berkeley National Laboratory – Expectant & For Nursing Mothers](#)
- [UC Berkeley – Breastfeeding Support Program](#)
- [UC Davis – Lactation Breastfeeding Support Program](#)
- [UC Irvine – Lactation Support Program Accommodation Guidelines](#)
- [UC Los Angeles – Breastfeeding Resources Lactation Accommodation Procedures](#)
- [UC Merced – Lactation Accommodation](#)
- [UC Office of the President – Breastfeeding and Lactation Support Program for New Mothers](#)
- [UC Riverside – Lactation Accommodation Program](#)
- [UC San Diego – Lactation Support Services Accommodation Policy](#)
- [UC San Francisco – Lactation Accommodation Program](#)
- [UC Santa Barbara – Lactation Support Accommodation Program](#)

VII. FREQUENTLY ASKED QUESTIONS

1. What ~~does is considered a reasonable a~~ lactation break ~~entail~~?

~~Generally, nursing mothers need 2-3 lactation breaks during an eight (8)-hour work period. A reasonable amount of time for a lactation break generally will not exceed 30 minutes per break and can include the time associated with travel walking to and from the lactation space, preparing to express milk, expressing milk, cleaning up, and storing engage the milk and other supplies, and returning to the employee's work area.~~

~~Travel to the nearest lactation space generally should not be more than a five- to seven-minute walk each way. The frequency, duration, and timing of lactation breaks will vary depending on factors related to the lactating employee and the child, such as length of the employee's workday.~~

2. ~~Will a refrigerator for storing milk be provided by the University?~~

~~When feasible, yes.~~

3. ~~How will the University plan for new lactation facilities or for improving current ones?~~

~~New building plans as well as plans for renovating existing University buildings should consider the need for inclusion of appropriate lactation facilities. UC can lead~~

~~the way in taking lactation accommodation from simply accommodation to truly best practices.~~

VIII. REVISION HISTORY

Policy changes effective as of TBD:

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Policy changes effective as of **December 10, 2018:**

- Removed existing gendered pronouns and replaced with gender-neutral language.
- Updated web and document links, office titles, and typographical amendments.
- Remediated to meet Web Content Accessibility Guidelines (WCAG) 2.0.

Initial issuance effective **July 3, 2013.**

DRAFT