



LAKE COUNTY
BOARD OF COUNTY COMMISSIONERS
County Procedure

Title: Lactation in the Workplace

Number: ES-4.04.02

Approve: October 27, 2010

Originator: Employee Services

Review: October 27, 2015

I. PURPOSE AND SCOPE

The purpose of this document is to provide a written description of Lake County's Lactation in the Workplace Program. Lake County supports the practice of lactation by accommodating the needs of nursing mothers, and ensuring that employees are provided with an adequate facility for the expressing of breast milk.

Lake County (County) recognizes that breast milk is the optimal food for growth and development of infants and supports employees and management in the creation of a positive, accepting attitude toward nursing mothers. Discrimination and/or harassment of employees in any form is unacceptable and may be subject to disciplinary action up to and including termination.

II. REFERENCES

- A. Work Hours and Overtime Policy (LCC-90)
- B. Patient Protection and Affordable Care Act
- C. Fair Labor Standards Act

III. PROCEDURES

- A. Definition

Lactation Area – The location provided for lactation must be functional as a space for expressing breast milk. If the location is not dedicated to the employee's use, it must be available when needed. The location must be shielded from view, and free from any intrusion from co-workers or the public. A bathroom, even if private, is not a permissible location.

B. Responsibilities

1. Employees must inform their supervisor and/or the Department of Employee Services (Employee Services) of the need for a lactation area. Notice from the pregnant employee should be at least one (1) month prior to their maternity leave, if possible.
2. Supervisors' responsibilities include:
 - (a) Providing information about Lactation in the Workplace to pregnant employees prior to their maternity leave.
 - (b) Informing Employee Services of the need for a lactation area as soon as notification is received from an employee.
 - (c) Providing the non-exempt employee a reasonable amount of break time to express breast milk each time such employee needs to express milk. Such arrangements should be provided for up to one (1) year after the child's birth. The time allowed may exceed a normal lunch or break period. Any time in excess of a normal lunch or break period will not be paid as regular work time but with supervisory approval, the employee may make up the time with accrued leave or making prior flex work schedule arrangements. Annual leave would be used prior to sick leave. Sick leave may be used after all annual leave is exhausted. If the employee exhausts all accrued leave, the employee will go into a no pay status, unless prior arrangement of a flex work schedule is made.
3. Employee Services' responsibilities include:
 - (a) Contacting the Department of Facilities Development and Management to coordinate and assign a lactating area location.
 - (b) Developing a scheduling system in the event that there are more than one employee using the location and/or the location area is not a dedicated location.

C. Training

1. This procedure will be provided to new and current employees.
2. Information about Lactation in the Workplace will be provided to pregnant employees prior to going on maternity leave.

D. Lactation Time/Scheduling

1. Lactation time should be established based on the employees work schedule. If possible, the lactation time should run concurrently with any break time already provided. Designated time needs to be coordinated with the employee's supervisor/management.
2. Lactation time in excess of the regular break time is unpaid and will be decided between the employee and supervisor/management.

E. Lactation Area

The lactation area should:

1. Be equipped with an electrical outlet,
2. Be within close proximity to the employee's work area,
3. Contain comfortable seating,
4. Be close to a sink with hot water and soap for hand washing and cleaning of equipment, and
5. Be close to a refrigerator for storage of expressed milk.

F. Unusual Circumstance

The County recognizes that some remote locations (e.g., Road Operations, Parks and Trails, etc.) may not have adequate facilities to accommodate a nursing mother. Employee Services will work with the employee's respective department and supervisor to affect a mutually acceptable solution. This may include a flexible schedule to allow the employee to return home or go to a County designated lactation area.

IV. RESERVATION OF AUTHORITY

The authority to issue or revise this Procedure is reserved to the County Manager. The County Manager may authorize exceptions to this procedure when deemed appropriate.



Sanford A. Minkoff
Interim County Manager
Lake County