At Charles R. Drew University, employees who need lactation accommodation in accordance with the following state laws:

A. California Assembly Concurrent Resolution ACR 155 (1998) encourages employers (including Charles R. Drew University) to support the practice of breastfeeding, to accommodate the needs of lactating employees, and to provide facilities for breastfeeding and expressing milk.

B. Section California Labor Code §§ 1030-1033 and Federal Labor Code 29 U.S.C. § 207 requires all employers to provide nursing mothers a reasonable amount of time to express breast milk for their infant children. The time may run concurrently with the employee’s paid rest break.

C. The law also requires employers to provide appropriate space, in proximity to the lactating employee's work area, for the nursing mother to express milk in private.
<table>
<thead>
<tr>
<th>Rule</th>
<th>California Law</th>
<th>Federal Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Employees</td>
<td>All, regardless of size</td>
<td>All, regardless of size</td>
</tr>
<tr>
<td>Amount of time</td>
<td>“Reasonable”</td>
<td>“Reasonable”</td>
</tr>
<tr>
<td>Restrictions on use of time</td>
<td>Break time should run concurrently with the employee’s existing break time No specific limit on “infant child’s” age</td>
<td>Allowed “each time such employee has need” Employee allowed to take breaks until child is one year old</td>
</tr>
<tr>
<td>Paid or unpaid</td>
<td>If time does not run concurrently with employee’s existing (paid) break time, time off can be unpaid</td>
<td>Unpaid</td>
</tr>
<tr>
<td>Location</td>
<td>Employer must make “reasonable efforts” to provide a room or other location, other than a toilet stall, in close proximity to employee’s work area</td>
<td>Location must be “shielded from view” and “free from intrusion” Cannot be a bathroom</td>
</tr>
<tr>
<td>Exceptions</td>
<td>If providing break time would “seriously disrupt the operations of the employer”</td>
<td>If employer has fewer than 50 employees and would experience an “undue hardship” in the course of providing the breaks, based on weighing the “significant difficulty or expense” of providing breaks against the “size, financial resources, nature, or structure” of the business</td>
</tr>
<tr>
<td>Penalty</td>
<td>$100 civil penalty per violation Labor Commissioner may issue a citation</td>
<td>To be determined by the Department of Labor</td>
</tr>
</tbody>
</table>
A. GUIDELINES

The University is committed to promoting a family-friendly work environment by providing programs and services to help employees achieve success at work and in their personal lives. To that effect, employees and management are encouraged to be accepting of nursing mothers, and departments will provide a location and a reasonable amount of time to accommodate their lactation needs pursuant to state and federal laws.

B. LACTATION BREAKS

1. The time may run concurrently with an employee’s paid break time.
2. The University must make separate time available if it is not possible for the lactation time to run concurrently with the employee’s existing break time, but it may be unpaid.

C. LACTATION FACILITIES

1. Appropriate private space shall be provided with reasonable nursing mother’s work area.
2. The location may be the place where the nursing mother normally works if there is adequate privacy (e.g., the employee’s private office or a conference room that can be secured).
3. Areas such as restrooms, closets or storage areas are not considered appropriate spaces for lactation purposes.

PROCEDURE LE.00350 Lactation Accommodation

A. Lactation Accommodation Requests

1. An employee who has need for lactation accommodation should inform her supervisor and discuss any relevant workload or scheduling issues.
2. Supervisors who receive a lactation accommodation request are advised to do the following:
   a. Review available space in the department and prepare to provide appropriate nearby space and break time.
   b. If the supervisor is unable to locate appropriate space to meet an employee’s request, the Department of Human Resources should be contacted for advice and assistance.

B. Compliance

1. The University may refuse to accommodate a nursing mother only if its operations would be “seriously disrupted” by providing lactation time in accordance with applicable laws.
2. Any intent to refuse accommodation by a department head or supervisor must be made on a case-by-case basis and must include prior consultation with the Department of Human Resources.
3. Nursing mothers who feel they have been denied appropriate accommodation are encouraged to contact the Department of Human Resources.

Applicability: All Staff and Faculty Members