

Lactation Accommodation Policy for Employees

Effective 1/1/2020

PURPOSE:

California State University, Northridge (CSUN) is committed to promoting a family-friendly environment by providing programs and services to help employees achieve success at the university and in their personal lives. In supporting a family-friendly environment, CSUN supports employees who continue to nurse their children after they return to work, and is committed to providing a work environment that supports employees' legal rights and medical necessity to express milk in the workplace during the workday.

PROCEDURES:

Employees who wish to express breast milk for the employee's infant child while at work have the right to request a reasonable amount of break time for expressing milk. Under the Fair Labor Standards Act (FLSA), the University is not required to compensate employees for breaks taken for expressing milk. Break time to express milk should run concurrently with any break time already provided to the employee, when possible. Break time for an employee that does not run concurrently with the rest time authorized for the employee shall be unpaid. However, nursing employees using break time for expressing milk shall be compensated in the same way other employees are compensated for break time, in accordance with the appropriate collective bargaining agreement.

Employees who request break time for expressing milk shall be provided the use of a location to express milk in private. The location provided to express milk 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;

- Be safe, clean and free of hazardous materials, as defined in [Section 6382](#) of the Labor Code;

- Contain a surface to place a breast pump and personal items;

- Contain a place to sit; and,

- 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.

Employees who wish to express breast milk for the employee's infant child while at work shall also have 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 employer shall provide another cooling device suitable for storing milk.

Employees must advise their manager in writing of their request for reasonable lactation accommodation for expressing milk within 30 days from the expected need for the accommodation. In the event that lactation accommodation in compliance with this policy

cannot be provided, the Office of Human Resources, Benefits Administration shall provide a written response to the employee submitting the request.

RESOURCES:

For resources and locations of our campus lactation spaces visit:

<https://www.csun.edu/wellbeing/csun-lactation-accommodations>. In addition to these designated spaces, locations can be determined on a case-by-case basis in compliance with this policy. In addition as a new parent, you may have questions about work/life balance, such as referrals to licensed daycare, and the Baby Welcome Program available through our Employee Assistance Program (EAP), LifeMatters at 1-800-367-7474 or at www.mylifematters.com (password: Matadors).

Questions regarding lactation accommodation for employees should be directed to the Office of Human Resources, Benefits Administration at 818-677-2101.

Employees requesting lactation accommodation in accordance with this policy have the right to file a complaint with the Labor Commissioner for any violation of a right under [Chapter 3.8 Lactation Accommodation](#) of the Labor Code. Employees may file a report/claim with the Labor Commissioner's Bureau of Field Enforcement. For more information, see: <http://www.dir.ca.gov/dlse/HowToReportViolationtoBOFE.htm>

REFERENCES:

[Senate Bill 142](#)

[Assembly Bill 1976](#)

[California Labor Code Section 1030](#)

[California Labor Code Section 1031](#)

[California Labor Code Section 1033](#)

[California Labor Code Section 1034](#)