



Staff Report

for the Regular Meeting of the Board of Directors on April 14, 2021

TO: Honorable Board of Directors
FROM: Jana Kolakowski, Human Resources Manager
DATE: April 6, 2021
SUBJECT: Lactation Accommodation Policy

HUMAN RESOURCES

RECOMMENDATION:

Adopt Resolution 2021-09 (Establishing District Policy 2170 - Lactation Accommodation).

BACKGROUND:

Pursuant to California Labor Code Section 1030, every employer, including the state and any political subdivision must provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child. The District has, in the past, responded to all such requests and accommodated them. To recognize the District's continuing commitment and comply with the additional requirement of a written policy, the attached policy has been drafted.

California now requires employers to provide a private lactation space, under SB 142. In anticipation of any future requests, Human Resources has partnered with the Maintenance Department's construction crew and is scoping the appropriate space within the Grass Valley Headquarters properties to plan for renovation of a compliant space.

BUDGETARY IMPACT:

\$5,000 (estimated) for time and materials

Attachments (2):

- Resolution 2021-09 – Establishing District Policy 2170 - Lactation Accommodation
- Proposed District Policy 2170 – Lactation Accommodation



RESOLUTION NO. 2021-09
OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

Establish District Policy 2170
Lactation Accommodation

WHEREAS, the Nevada Irrigation District (the "District") intends to establish, and revise from time to time, administrative policies to guide the operations and management of the District; and

WHEREAS, pursuant to California Labor Code Section 1030, every employer, including the state and any political subdivision, must provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child; and

WHEREAS, California now requires employers to provide a private lactation space, under SB 142, which promotes a breastfeeding-friendly work environment; and

WHEREAS, the District supports the legal right and necessity of employees who choose to express milk in the workplace.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Nevada Irrigation District hereby adopts the following policy as attached, and shall be incorporated herein:

#2170 – Lactation Accommodation

BE IT FURTHER RESOLVED, that the attached policy shall be incorporated into the District Policy Manual, and the Board Secretary is hereby authorized to assign and revise policy numbers, and format and reformat the attached, as needed for an organized, comprehensive, policy manual.

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PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 14th day of April 2021, by the following vote:

AYES:	Directors:
NOES:	Directors:
ABSENT:	Directors:
ABSTAINS:	Directors:

President of the Board of Directors

Attest:

Secretary to the Board of Directors

Nevada Irrigation District

POLICY MANUAL

POLICY TITLE: Lactation Accommodation

POLICY NUMBER: 2170

2170.1 Purpose

This policy is to establish guidelines for promoting a breastfeeding-friendly work environment and supporting lactating employees at the District for as long as they desire to express breast milk. The District supports the legal right and necessity of employees who choose to express milk in the workplace.

2170.2 Reason for Policy

The goals of this Policy include:

- To establish guidelines promoting a work environment that supports breastfeeding at the District.
- To establish that employees have a right to request lactation accommodation.
- To establish NID's obligation to respond to lactation requests and to provide a written response to the employee if NID cannot provide break time or a compliant location. Any such denials must first be approved by NID's Human Resource Manager.
- To establish the employee's right to file a complaint with the Labor Commissioner for any related violation.
- To comply with the State of California's Labor Code Section 1030, Lactation Accommodation.

2170.3 General Policy

In accordance with Labor Code Section 1030, Lactation Accommodation, breastfeeding employees will be provided breaks to express milk during working hours in a lactation space that meets minimum stipulated requirements described below. The break time shall, if possible, run concurrently with the employee's lunch and break time. If the time for an employee's break time does not run concurrently or when additional time is necessary, the break time may be unpaid.

2170.4 Lactation Space Requirements

Nevada Irrigation District will provide breastfeeding employees with space in close proximity to their work area that is shielded from view and free from intrusion from colleagues and the public, to express breast milk. The room or location may include the place where the employee normally works if it otherwise meets the requirements of the lactation space.

The lactation space will:

- Not be a restroom
- Be safe, clean, and free of toxic or hazardous materials
- Contain a place to sit, a surface to place a breast pump, and personal items
- Have access to electricity
- Have access to a sink with running water and a refrigerator in close proximity to the employee's work area
- Potentially be a multi-purpose room if they satisfy the requirements for space; however, use of the room for lactation takes priority over other uses

2170.5 Procedures and Request Form

Employees requesting lactation accommodation should contact Human Resources for procedures and a request form.

Adopted: April 14, 2021 via Resolution No. 2021-09

Revised: