




County of Los Angeles
Department of Human Resources
POLICIES, PROCEDURES, AND GUIDELINES

Subject: LACTATION PROGRAM	Policy Number: 705	Pages: 5
	Effective Date: August 29, 2022	
	Approved By: 	

PURPOSE

The County of Los Angeles (County) recognizes that human milk is the optimal food for the growth and development of children. It is the policy of the County to support employees who are breastfeeding, chestfeeding, and/or lactating by encouraging a lactation-friendly work environment that enables employees to express milk during work hours. The participation of individuals in the Lactation Program is encouraged for all employees who need to express milk for infant/child feeding.

POLICY

In compliance with federal and state law, all County departments must provide a reasonable amount of break time and make reasonable efforts to provide the use of appropriate space for employees who desire to express milk during work hours. This policy addresses the specific needs of employees who are participating in the Lactation Program and provides guidelines for County departments in the administration of this program.

GUIDELINES

SCHEDULED BREAKS

A lactation break requires time to set up the pump, undress, pump, dress, store milk, and clean pump parts. An employee's pumping time is a protected right; there is not a "right amount of time" for pumping as this process varies from person to person. The frequency and duration needed for these breaks will likely vary, and a reasonable amount of break time must be provided to an employee for pumping.

Lactation breaks can run concurrently with the employee's existing break periods; if not feasible, a separate and unpaid reasonable break time must be made available for the employee.

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Employees may use any earned and available benefit time to cover an unpaid break used to support lactation. This includes any additional time needed for pumping, that extends beyond the employee's regularly scheduled breaks. Managers, supervisors and the employee may also agree, based on the needs of service, to reasonably adjust the employee's work schedule to cover the unpaid break time.

The time used to travel to and from the employee's work area to the private lactation space provided must not be included in the calculation of time used for the expression of milk; any travel time is considered paid time.

DESIGNATED SPACE

Departments must make a reasonable effort to designate a private room or location for lactation purposes that can be used by the lactating employee during specific times of the day. The assigned space may not be located in a bathroom; however, a separate private anteroom or a separate private area next to a bathroom is permissible.

Designated spaces used for lactation must be within close proximity to the employee's workspace and must be located in an area that is shielded from view. The employee is entitled to a secure and private space with a locked and/or secure entrance where they are free from intrusion by workers and the public while expressing milk. The designated space must meet the following criteria:

- a. Include access to electricity or alternative devices, including, but not limited to, extension cords or charging stations needed to operate an electric or battery-powered lactation pump;
- b. Offer comfortable seating and a flat surface for placing a pump and personal items;
- c. Be clean, safe, well-lit, and free of toxic or hazardous materials; and
- d. Be near a sink with running water and a refrigerator. If a refrigerator is not accessible, a cooling device suitable for storing and securing milk must be made available.

Examples of acceptable lactation spaces include, but are not limited to the employee's private office, an office not in use, a conference room that can be locked and/or secured, or a multi-purpose room that can be locked and/or secured. An employee's work area, if it can be sufficiently made private, may suffice as the lactation space.

If a multi-purpose room is the designated lactation space at the department's facility, the use of the room for lactation shall take precedence over other uses of the room. The

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pumping needs of an employee will determine the availability of the room for other purposes.

In situations where County departments share building space, the departments may share designated lactation spaces. Designated lactation spaces with limited or restricted employee access must be approved by the Department of Human Resources (DHR) Countywide Lactation Program Coordinator.

NON-TRADITIONAL LACTATION REQUESTS

For employees who work in non-traditional work settings (e.g. field workers), time-sensitive work environments, or in a position where lactation breaks may have a significant impact on daily operations, the Departmental Lactation Coordinator, managers and supervisors and the lactating employee must engage in a timely good-faith interactive process to identify alternative reasonable lactation break support.

Employees who are required to travel between different County offices, are “hoteling” at a County office, or who conduct County business at a County office other than their own may use the available onsite lactation space. Notice and coordination of lactation time(s) and usage of space should be initiated by the employee with their supervisor and their Departmental Lactation Coordinator.

Employees who are working remotely should work with their supervisor and the Departmental Lactation Coordinator to ensure lactation breaks are scheduled and privacy is established to ensure the employee is not required to appear on camera during scheduled lactation breaks. The provision of a County-provided lactation space for employees who are working from home is not covered by this policy.

NOTIFICATION

This policy will be communicated and provided to employees in the following situations:

- At the time when new hire and transfer orientation is conducted;
- When an employee takes leave for pregnancy or bonding with a child;
- When an employee returns to the workplace following a pregnancy or child bonding leave; and
- Upon the request of the employee.

This policy will also be posted to the County’s Lactation Program website at <https://employee.hr.lacounty.gov/lactation> for employees’ review at any time.

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LACTATION BREAK REQUEST PROCEDURE

An employee requiring a lactation break must complete the Lactation Break Request Form, submit it to their direct supervisor, and discuss any relevant workload or scheduling issues. Managers, supervisors, and Departmental Lactation Coordinators who receive a lactation break request shall:

- a. Review the Countywide Lactation Rooms and Designated Contacts for the County at DHR's [Lactation Program website](#), if needed, and evaluate spaces within their facility to provide appropriate space to support lactation.
- b. Managers or supervisors will complete and sign the Lactation Break Request form and submit it to their Departmental Lactation Coordinators.
- c. Departmental Lactation Coordinators will complete the Lactation Break Request form and return it to the employee and manager or supervisor within three (3) business days.
- d. In the event the department cannot arrange for space or break time for the employee within three (3) business days of receiving the Lactation Break Request form, the department must contact DHR's Occupational Health and Leave Management Division, Countywide Lactation Program, for assistance and provide written notice to the employee of the status of the request within five (5) business days.
- e. All Lactation Break Request forms must be uploaded by Departmental Lactation Coordinators in the Ventiv Claims Enterprise system.

COMPLIANCE REQUIREMENTS

Support for breast/chestfeeding and lactation complies with federal and state guidelines and is promoted under County policy. Lactation requests and expressing milk during the work day shall not constitute a basis for discrimination, harassment, inappropriate conduct, or retaliation. Such conduct may unreasonably interfere with an employee's work performance and may create an intimidating, or offensive working environment.

Any incident of discrimination, harassment, retaliation, or inappropriate conduct (based on a protected characteristic or activity) towards a breast/chestfeeding and/or lactating employee will be addressed in accordance with the County's policies and procedures and may be subject to disciplinary action.

Employees may file a complaint with the County Intake Specialist Unit (CISU) pursuant to the County Policy of Equity (CPOE). The CISU may be reached as follows:

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- Website: <https://CEOP.lacounty.gov>
- By phone: 1-855-999-CEOP (2367) or
- Visiting the CISU located at Kenneth Hahn Hall of Administration, 500 West Temple Street, Room #B-26, Los Angeles, CA 90012, during the hours of 8 am to 5 pm, Monday through Friday.

Complaints about incidents of discrimination, harassment, and retaliation may also be filed with California's Civil Rights Department or the federal Equal Employment Opportunity Commission.

Additionally, an employee has the right to file a complaint with the California Labor Commissioner for any violation of California Labor Code §§ 1030-34.

The County shall remain compliant with any lactation laws that are enacted after the publication of this policy. DHR may audit and require from departments the collection and submission of reporting data related to the Lactation Program for compliance and program improvement purposes.

ATTACHMENTS

- *Lactation Break Request Form*
- *PPG 705 – Lactation Program Frequently Asked Questions*

REFERENCES

- [Board of Supervisors Motion, June 22, 2021](#)
- [California Labor Code 1030-34](#)
- [California Labor Code 1197.1](#)
- [California Labor Code § 12920-23](#)
- [California Labor Code § 12926](#)
- [United States Department of Labor Wage and Hour Division, FLSA of 1938 §7\(r\), \(29 U.S.C. 207\)](#)
- [United States Surgeon General's Call to Action to Support Breastfeeding \(2011\)](#)

DATE ISSUED/REVIEW DATE

Issue Date: September 14, 2011
Review Date: August 25, 2022

Lactation Break Request



Name	
Department	
Employee #	
Date of Notice	
Beginning and Ending Dates*	

*Upon expiration, an additional Lactation Break Request form may be submitted.

Anticipated Lactation Break Times:

From	am / pm	To	am / pm
From	am / pm	To	am / pm
From	am / pm	To	am / pm
From	am / pm	To	am / pm

COVERED EMPLOYEES ONLY: If additional time is needed beyond the regularly scheduled meal and break times, I elect to have this time covered as:

☐ Accrued time

☐ Unpaid time off

☐ Flexible time

I have received a copy of the countywide Policies, Procedures and Guidelines (PPG) 705, *Lactation Program*, and a copy of the Lactation Brochure. An electronic version of the PPG and brochure can be found at:

<http://employee.hr.lacounty.gov/lactationprogram-2/>

I understand that I am required to notify my direct supervisor and the Departmental Lactation Coordinator when the above schedule is no longer necessary.

Employee's Signature

Date

Lactation Break Request



DEPARTMENT USE ONLY

Space Identified

- ☐ The following location has been identified as Lactation Space in response to this request:

Address	Contact Person	Phone
Room Location/Description		
Supervisor's Name (Print)	Supervisor's Signature	Date
Departmental Lactation Coordinator	Departmental Lactation Coordinator's Signature	Date

Space Not Identified

- ☐ The Department will work with the Department of Human Resources Lactation Program to identify a Lactation Space and provide a written response to the employee within five business days.
- ☐ **Resolution** - The following location has been identified as Lactation Space in response to this request:

Address	Contact Person	Phone
Room Location/Description		
Supervisor's Name (Print)	Supervisor's Signature	Date
Departmental Lactation Coordinator	Departmental Lactation Coordinator's Signature	Date

Copy: Departmental Human Resources