

Effective: 1/1/2005

Supersedes:

Issuing Office: [Human Resources](#)

LACTATION ACCOMMODATION

I. REFERENCES AND RELATED POLICIES

- A. [UC Personnel Policy 31 – Hours of Work](#)
- B. [UC SPP 12 – Nondiscrimination in Employment](#)

II. SCOPE

This policy applies to all UCSD employees and students who may need lactation accommodation in accordance with the following state laws:

- A. California Civil Code Section 43.3 (1997), Breastfeeding Rights, provides that a mother may breastfeed her child in any location, public or private, except the private home or residence of another, where the mother and child are authorized to be present.
- B. California Assembly Concurrent Resolution ACR 155 (1998) encourages employers (including the state and University) to support the practice of breastfeeding, to accommodate the needs of lactating employees, and to provide facilities for breastfeeding and expressing milk.
- C. Section 1030 et seq. was added to the California Labor Code on January 1, 2002, with the passage of California Assembly Bill 1025 (2001). It requires all employers to provide a reasonable amount of time to employees desiring to express breast milk for their infant children. The time may run concurrently with an employee's paid rest break.
- D. The law also requires employers to provide appropriate space, in proximity to the employee's work area, for the employee to express milk in private.

III. POLICY

UCSD will provide a location and a reasonable amount of time to accommodate employees and students who are nursing mothers pursuant to state laws.

A. Lactation Break

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.
3. It is assumed that UCSD operations would not be seriously disrupted by providing lactation time.

B. Lactation Facilities

1. The University is required to provide appropriate space in proximity to the employee's work area, for the employee to express milk in private.
2. The location may be the place where the employee normally works if there is adequate privacy (e.g., the employee's private office or a lockable conference room).
3. Areas such as restrooms are not considered appropriate spaces for lactation purposes.

Effective: 1/1/2005

Supersedes:

Issuing Office: [Human Resources](#)

IV. PROCEDURES

A. How to Access Lactation Facilities and Services

1. Supervisors who receive a lactation accommodation request are advised to do the following:
 - a. Review available space in their department and be prepared to provide appropriate nearby space and break time.
 - b. If the employee does not have a private office and there is no appropriate space nearby, access the [Lactation Accommodation Web page](#) on Blink to find designated lactation facilities.
 - c. Before the supervisor makes a determination to deny space or break time, (s)he should consult Human Resources Employee Relations, Academic Personnel Services or the director of Human Resources at UCSD Medical Center.
2. To use designated lactation facilities, nursing mothers should register with the Women's Center by e-mailing lactation@ucsd.edu, calling (858) 822-0074 or dropping by the Women's Center at Building 965, University Center.

B. Compliance and Penalties

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 consultation with the Employee Relations Division of Human Resources, Academic Personnel Services, or the director of Human Resources at UCSD Medical Center.
3. Nursing mothers who feel they have been denied proper and appropriate accommodation are encouraged to contact the Campus Ombuds Office (faculty, staff, and students), Employee Relations Division of Human Resources (staff), Academic Personnel Services (faculty), or the Student Office of Human Relations (SOHR).
4. The fine for noncompliance is \$100 for each violation.

For further information and assistance, visit the [Lactation Accommodation Web page](#) on Blink or contact:

- Employee Relations, Human Resources – (858) 534-4115
- Academic Personnel Services – (858) 822-4564
- Lactation Services, UCSD Medical Center – (619) 543-7149
- Women's Center – (858) 822-0074

For additional lactation or other health education materials for students, contact Student Health Service, Health Education, at (858) 534-2419 or visit <http://studenthealth.ucsd.edu/>