2.2.5 REQUESTING A LACTATION ACCOMMODATION

1. Policy Summary

Stanford University supports the importance of health and bonding for parents nursing their infants. It is the policy of the university to follow all state and federal laws and regulations in this area, including California Labor Code (Sections 1030-1033) and Patient Protection and Affordable Care Act (PPACA). In promoting a family-friendly work environment and to ensure equality of access for employees who wish to breastfeed, the university will provide reasonable accommodations to enable employees to express breastmilk.

Lactation spaces are available to all members of the university community, including students, postdoctoral scholars, and third parties who participate in Stanford programs and activities. The WorkLife Office maintains a list of campus spaces that may be used for lactation.

All Stanford University affiliated nursing parents, including students and postdoctoral scholars, are encouraged to register for the Stanford Lactation Support Program. Additional resources for lactation support information and educational resources are available on Cardinal at Work at: worklife.stanford.edu.

2. Implementation and Responsibility

a. Employees: are responsible for notifying a supervisor as soon as a lactation accommodation is needed. It is recommended that an employee anticipating an accommodation discuss their needs with their supervisor before a family leave is taken, including the anticipated schedule and request to access an appropriate space. Requests from staff employees should be made to the supervisor or Human Resources Manager. Faculty, academic staff and other teaching staff should contact their Chair and departmental faculty affairs officer.

b. Supervisors: are responsible for receiving requests for a lactation accommodation, and in consultation with the Human Resources Manager, reviewing accommodation requirements, identifying appropriate space...
and schedule for the employee, and discussing the accommodation with the employee. In the case of faculty, academic staff and other teaching staff, the term ‘supervisor’ in this policy refers to the Department Chair.

c. **Human Resources Managers**: are responsible for advising supervisors of accommodation requirements and assisting supervisors in consultation with the building or facilities managers to identify appropriate space to accommodate the employee. To identify the local Human Resources office, call the appropriate number: Campus 650-721-4272; School of Medicine 650-497-2750; SLAC 650-926-2358.

d. **Department Chairs and Departmental Faculty Affairs Officers**: are responsible for receiving faculty, academic staff and other teaching staff requests for a lactation accommodation and, in consultation with the Human Resources Manager or departmental faculty affairs officer, reviewing accommodation requests and requirements, identifying appropriate space for the employee and discussing the accommodation with the employee.

3. **Process - Recommended Steps**

a. **Step One – Request**: Employees are responsible for initiating the request for a lactation accommodation. The request does not need to be made in writing, nor is a doctor’s note required. The employee should consider discussing a request with their supervisor or Human Resources Manager before taking a family leave.

b. **Step Two – Discussion**: When received, the supervisor or Human Resources Manager will meet with the employee to acknowledge the request and help develop an accommodation. The supervisor or Human Resources Manager should confirm that the employee has a private, clean and secure place to express breastmilk (see Section 6: Identifying Space). If the employee has questions or concerns about expressing breastmilk at work, questions should be referred to the Human Resources Manager or the WorkLife Office.

c. **Step Three – Follow up**: The supervisor or Human Resources Manager should confirm the accommodation in writing and offer to revisit the plan with the employee after two to three weeks to see if any changes are needed.

4. **Accommodation Periods**

An accommodation includes a reasonable amount of time taken as needed by the employee to express breastmilk in a space that complies with state and federal requirements (see Section 6: Identifying Space). When possible, time should be taken during regularly scheduled meal and rest periods. The number of breaks needed to express breastmilk may vary. A nursing parent will typically need two or three breaks during an eight-hour period; however, additional break times may be necessary. If the time to express breastmilk exceeds an employee’s regularly-scheduled meal or rest periods, non-exempt employees may request to be provided an opportunity to make up time per Admin Guide Memo 2.1.9 [5]. If no reasonable opportunity exists for a non-exempt employee to make up time, the time to express breastmilk that exceeds paid rest periods will not be paid. The break schedule should be based on the employee’s needs and the operational needs of the department.
5. Identifying Space

Appropriate space that complies with state and federal requirements includes any clean space that can be made private, shielded from view and free from intrusions from coworkers or the public, and is not located in a bathroom. Appropriate space can include a private office, a conference room with a locking door, or any other compliant space that can be secured and shielded from view.

6. Employee's Own or Adjacent Building

Every effort should be made to identify space in the employee's building when possible. It may be necessary to identify more than one space in order to meet the needs of both the employee and department. Space may be identified at an adjacent building within a reasonable walking distance and that is accessible to the employee during the arranged lactation schedule. A reasonable distance is recommended as no more than a 5-minute walk from the employee’s building.

7. Identified Lactation Locations

If space cannot be identified in the employee’s building or an adjacent building, the WorkLife Office[2] maintains a list of campus spaces that may be used for lactation.