

RESOLUTION NO. 13-057

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
RANCHO CUCAMONGA, CALIFORNIA, ESTABLISHING A
LACTATION ACCOMMODATION POLICY AND PROGRAM**

WHEREAS, Healthy RC's mission is to *inspire a lifestyle that embraces a healthy mind, body and earth through lifelong learning and enrichment, active and healthy living, and environmental sustainability*; and

WHEREAS, the City of Rancho Cucamonga and Healthy RC recognize that inspiring a healthy lifestyle includes supporting the transition of employees back to work and promoting a balanced work and family life; and

WHEREAS, the City of Rancho Cucamonga and Healthy RC recognizes that breast milk is the optimal food for the growth and development of infants, and encourages employees to have a positive, accepting attitude to all working mothers; and

WHEREAS, the American Academy of Pediatrics recommends exclusive breastfeeding for the first six months of a child's life and breastfeeding with the addition of solid foods to continue for at least twelve months, and that arrangements be made to provide expressed breast milk if the mother and child must separate during the first year; and

WHEREAS, approximately two-thirds of women who are employed when they become pregnant return to the work force by the time their children are six months old; and

WHEREAS, lactation support in the workplace is a major factor in a mother's decision to initiate or to continue breastfeeding and policies enacted within the workplace can help to increase breastfeeding rates among mothers; and

WHEREAS, employers benefit when their employees breastfeed - parents of breastfed infants miss less time at work to care for sick children, employers have lower health care costs and medical insurance claims, and businesses (including local government) have lower turnover rates in companies with established lactation programs; and

WHEREAS, the City supports breastfeeding and the expression of breast milk by employees who choose to breastfeed when they return to work; and

WHEREAS, it is the policy of the City of Rancho Cucamonga to ensure breastfeeding employees are provided time and a private location to express milk while at work; and

WHEREAS, it is the policy to provide breastfeeding education and support and raise community awareness.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Rancho Cucamonga adopts the following standards for the Lactation Accommodation Policy and Program:

Section 1: Time and Scheduling

The City of Rancho Cucamonga recognizes that the frequency and duration of breaks to express milk will likely vary, according to the needs of the individual mother. Lactation times shall be established for each employee, based on her work schedule and according to the needs of the individual mother.

If possible, lactation times should be the same as the employee's scheduled breaks and lunch period, however, if the time required for pumping is in excess of the normal break/lunch period, and as lactation needs change, the employee will discuss scheduling options with her supervisor or a Human Resources (HR) representative.

The HR Department will develop scheduling procedures and protocols at designated facilities where Mother's Rooms are available for the public's use.

Section 2: Facilities

Employees shall be provided the use of a clean, comfortable space for milk expression.

Every City facility will have a designated space available, permanent or temporary, which is not a toilet stall, bathroom, or closet and is protected from view and free from intrusion of coworkers and noxious materials. Designated spaces could include the employee's private office, a supervisor's private office, or a secured conference room. A list of identified designated spaces will be available to employees at the HR Department, on the Hub (the City's intranet), and in employee break areas.

Spaces should be securable with a door that locks, equipped with an electrical outlet, contain comfortable seating with a table or other flat surface to hold a breast pump, and have covered windows to provide privacy. An ideal space would be near a sink with hot water and soap for hand washing and cleaning of equipment and access to a refrigerator for storage of expressed breast milk.

For non-traditional spaces, the employee and a Human Resources representative should enter into a good faith interactive process to identify reasonable accommodations prior to returning to work.

The City has two permanent "Mother's Rooms," for employee usage as well as the public; Central Park - James L. Brulte Senior Center and City Hall. The two Mother's Rooms are to be equipped, at a minimum, with a hospital grade breast pump, electrical outlets, secured storage, a door that locks, a comfortable chair with proper support, a table or other flat surface to hold a breast pump, and a microwave for sanitizing personal equipment.

Section 3: Employee Responsibilities

Breastfeeding employees shall be responsible for informing the HR Department of their requests for lactation accommodation prior to returning to work. Further, the employee shall keep her supervisor or a HR representative informed if lactation accommodation needs should change. The breastfeeding employee shall also be responsible for maintaining the milk expression area, i.e., keeping it clean, and for the proper storage of their breast milk.

Section 4: Employee Education

- a. An information packet, including a copy of this policy, information about breastfeeding support, First 5, and the WIC program shall be provided to pregnant employees prior to their maternity leave and spouses of expectant women prior to taking Family Medical Leave.
- b. Information promoting breastfeeding education and support will be made available for all employees in break areas, at the Human Resources Department, and on The Hub (the City's intranet), including printed material about the benefits of breastfeeding and resources within the City of Rancho Cucamonga and in the community where an employee may acquire additional information.

- c. The City will maintain a resource library at the permanent Mother's Rooms with materials on breastfeeding, parenting, and maintaining a balanced work and family life.
- d. All supervisors and managers will receive training and information on the benefits of breastfeeding, the laws, and transitioning employees back to work.
- e. Information about the City of Rancho Cucamonga's Lactation Accommodation policy shall be provided at all new City employee orientations.

Section 5: Community Education

- f. Information promoting breastfeeding education, support, and locations of Mother's Rooms will be made available at all City facilities, on the City's website, the mobile application (RC2GO), and the Grapevine for the community-at-large. In addition, related information will be featured in the Rancho Reporter at least once per year.
- g. All facilities will display signage designating the facility and City as baby-friendly and supportive of breastfeeding.
- h. The City, in conjunction with National Breastfeeding Awareness Month, shall proclaim August as breastfeeding awareness month.

Section 6: Atmosphere of Support

The City of Rancho Cucamonga will foster an environment (physical and social) that encourages breastfeeding. This includes working with Team RC and the Employee Wellness Committee to help provide support to employees transitioning back to work and maintaining a balanced work and family life.

Discrimination and harassment of breastfeeding mothers in any form is unacceptable and will not be tolerated by the City of Rancho Cucamonga.

It is prohibited under this policy to harass a lactating employee or exercise any conduct that creates an intimidating, hostile or offensive working environment. Any incident of harassment of a lactating employee will be addressed in accordance with the City's policies and procedures for discrimination and harassment.

Section 7: Compliance

Managers and supervisors shall respond to any request for lactation accommodation in a manner consistent with the procedures outlined in this policy.

Lactating mothers who feel they have been denied appropriate accommodation are encouraged to contact Human Resources. Investigations will be conducted in accordance with the Citywide Discrimination Complaint Procedure.

Complaints may also be filed with the State compliance agency, the Department of Fair Employment and Housing (DFEH), and/or the Federal compliance agency, the Equal Employment Opportunity Commission (EEOC).

*Please see the following page
for formal adoption, certification and signatures*

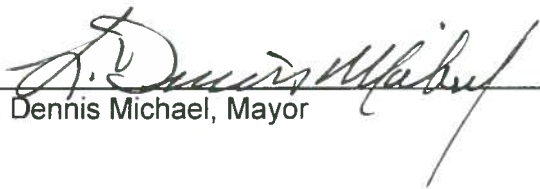
PASSED, APPROVED, AND ADOPTED this 1st day of May 2013.

AYES: Michael, Spagnolo, Steinorth, Williams

NOES: Alexander

ABSENT: None

ABSTAINED: None



L. Dennis Michael, Mayor

ATTEST:



Janice C. Reynolds, City Clerk

I, **JANICE C. REYNOLDS, CITY CLERK** of the City of Rancho Cucamonga, California, do hereby certify that the foregoing Resolution was duly passed, approved and adopted by the City Council of the City of Rancho Cucamonga, California, at a Regular Meeting of said City Council held on the 1st day of May 2013.

Executed this 2nd day of May 2013, at Rancho Cucamonga, California.



Janice C. Reynolds, City Clerk