

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 1/22/2020

Staff Report No. 20-060

TO: AC Transit Board of Directors
FROM: Denise C. Standridge, General Counsel
SUBJECT: Lactation Accommodation Policy

ACTION ITEM

RECOMMENDED ACTION(S):

Consider adopting Board Policy 211 - Lactation Accommodation Policy.

STRATEGIC IMPORTANCE:

Goal - High Performing Workforce

AC Transit has set a goal of ensuring a high performing workforce to meet the challenges of providing bus transit in the East Bay. This policy would further that goal by ensuring that its employees receive support in exercising their right to lactation accommodations. In addition, working with new mothers to accommodate their lactation needs may facilitate an employee's return to work from maternity leave and allow her to remain at work during the period she is breastfeeding her child.

BUDGETARY/FISCAL IMPACT:

No budgetary or fiscal impact will result from approving a Lactation Policy for AC Transit.

BACKGROUND/RATIONALE:

California Labor Code Section 1034 requires that all employers develop and implement a policy regarding lactation accommodations. The law requires that such policies include the following:

- 1) A statement about an employee's right to request lactation accommodation.
- 2) The process by which the employee makes the request described in paragraph 1.
- 3) An employer's obligation to respond to the request described in paragraph 1 with a written response if the employer cannot provide break time or a location that complies with the policy.
- 4) A statement about an employee's right to file a complaint with the Labor Commissioner for any violation of a right under this chapter.

ADVANTAGES/DISADVANTAGES:

The advantage to approving the lactation policy is compliance with state law. In addition, ensuring that AC Transit's work force is provided the right to lactation accommodation furthers the District's goal of a high performing workforce. There are no disadvantages to approving the lactation policy.

ALTERNATIVES ANALYSIS:

No alternative options were explored by staff as California law requires the implementation of a lactation policy.

PRIOR RELEVANT BOARD ACTION/POLICIES:

Board Policy 213 - Prohibiting All Forms of Unlawful Employment Discrimination, Including Sexual or Other Forms of Harassment.

ATTACHMENTS:

1. BP 211 - Lactation Accommodation Policy.

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