

MODEL LACTATION ACCOMMODATION POLICY

I. Purpose

[Employer name] is committed to supporting lactating employees. As part of this support, [Employer name] provides accommodations to lactating employees, including break time and space to express milk during the workday. This policy applies to all lactating employees and job applicants regardless of the age of their children.

II. Lactation Breaks

a. [Employer name] will provide break time each time the employee needs to express milk during the workday. The breaks will be long enough to meet the employee's needs, including sufficient time for the employee to reach the lactation space, set up, pump, clean up, store their milk, and return to their workstation. Employees are not required to use their lunch break to pump, but may do so if it coincides with their need to pump.

b. The employee's supervisor will be responsible for ensuring that the employee has coverage to take their break when needed. For planning purposes, employees should inform their supervisor of their expected break schedule with as much notice as possible. Employees are not required to adhere to the expected schedule, however, if they need to express milk at a different time. It is expected that the frequency or duration of an employee's lactation breaks may change from day to day and over time.

d. Hourly employees' lactation breaks will be unpaid except when they 1) choose to work while pumping; 2) are pumping during a break that is normally paid; or 3) choose to use paid time off. Hourly employees are permitted to work additional hours to make up break time so they do not lose pay, if they wish to do so. Salaried employees will see no changes in pay as a result of pumping breaks.

[Note: employers in Georgia, Illinois, Minnesota, New York, and San Francisco [and Washington effective 2027] may be required to provide paid lactation breaks. Many employers provide paid lactation breaks for all lactating employees and it is recommended as a best practice. Employers that do not require non-lactating employees to clock out for breaks cannot require lactating employees to clock out for lactation breaks.]

e. Employee evaluations will not be negatively affected by lactation breaks. Performance metrics and productivity goals will be adjusted to account for time not worked due to lactation breaks. For assistance with adjustments, please contact [HR or designee].

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III. Lactation Spaces

- a. *[Employer name]* will provide lactating employees with designated lactation spaces that will be available when needed. For spaces that are also used for other purposes, the needs of lactating employees will be prioritized.
- b. Designated lactation spaces will be free from intrusion (locking door or similar barrier), free from view (covers on windows and doors), and functional as a lactation space (no hazards, cleaned regularly, suitable temperature, appropriate lighting). The space cannot be a bathroom. Spaces designed to enable more than one employee to express milk at the same time will have a screen or similar barrier to provide privacy.
- c. Each designated lactation space will contain, at minimum, a chair, table or other flat surface for holding a pump, and electrical outlets. Each lactation space will be located near a sink to allow employees to wash their hands and clean pump parts.
- d. Employees are not required to use the designated lactation spaces to pump. They may pump in any location where they are permitted to be so long as, like any employee activity, they do not disrupt business operations. Employees may use an under-clothes wearable pump in any location.
- e. Lactating employees who have concerns about the adequacy or availability of lactation space should immediately contact *[HR or designee]* so the space can be improved or alternative lactation spaces can be identified.

IV. Storage

- a. Lactating employees are permitted to store expressed milk in any employer-provided refrigerator. As with any employee property, milk should be properly labeled with the employee's name or initials, and the date.
- b. Lactating employees have permission to carry and/or store a small personal cooler for storing milk.
- c. While *[employer]* will educate staff to respect items stored in communal spaces, we cannot guarantee the safety of expressed milk. Employees use unsecured storage locations at their own discretion and at their own risk.

V. Additional Support

- a. Employees who need other temporary changes to how, when or where they work due to lactation may request an accommodation by contacting their supervisor or anyone who regularly directs their work, is in HR, or is in management. *[Employer name]* will approve the request so long as the change requested is reasonable and will not create an undue hardship for the company. If the change cannot be provided without causing an undue hardship, *[HR or designee]* will work with the employee to identify other changes that can support their needs. For more information, see our accommodation policy *[here]*. *[Link to company's PWFA-compliant pregnancy accommodation policy.]*
- b. *[Employer]* is committed to providing lactation break time and space to our employees without penalty. No employee will be discriminated or retaliated against for requesting or using a lactation accommodation. Harassment is prohibited. If you experience or witness discrimination,

retaliation, or harassment, report it immediately to [*HR or designee*] or use the company's grievance procedure. If you have concerns about the administration of this policy, please contact [*HR or designee*].