



Sutter County Administrative Policies & Procedures

POLICY: TITLE: Lactation Accommodation Policy

SECTION: 911

ADOPTED: March 10, 2026

RESOLUTION: N/A

EFFECTIVE: March 10, 2026

SPONSORING DEPARTMENT: Human Resources

ATTACHMENTS: N/A

SUPERCEDES: N/A

PAGES: 4

PURPOSE:

This policy is to establish guidelines for promoting a breastfeeding-friendly and inclusive work environment and supporting lactating employees at the County of Sutter. The County is committed to establishing a workplace environment, which accommodates lactating employees and prohibits discrimination, harassment, and retaliation on the basis of pregnancy, lactation, or a related medical condition.

AUTHORITY:

California Civil Code section 43.3 and California Labor Code sections 1030 through 1034.

APPLICABILITY:

This policy is applicable to all current employees, volunteers, agents, contractors and subcontractors of the County of Sutter.

GENERAL POLICY:

It is the policy of Sutter County to strongly support and encourage the practice of breastfeeding by endeavoring to accommodate its employees by ensuring that employees are provided with reasonable break times and adequate space to express breast milk and/or breastfeed their child, in accordance with applicable state and federal laws.

Break Time Will Be Available to Express Breastmilk While at Work

It is the policy of Sutter County to provide a reasonable amount of break time to accommodate an employee's need to express breast milk for the employee's infant child. The break time shall, if possible, run concurrently with any break time already provided for the employee. The reasonable amount of time allowed to express breastmilk may need to exceed a normal lunch or other break times. Any time in excess of the employee's

allowable lunch or other break period may be made up by using vacation or comp time as approved by the Department Head or his/her designee according to County rules. If an employee does not have adequate accruals, or chooses not to use them to cover excess break time needed to express milk, the excess time will be unpaid.

Employees shall provide a regular schedule to the supervisor, to the extent possible, so the department can ensure location availability and schedule work coverage, if needed. If the employee's schedule needs to be changed or when their need to express milk ends, the employee shall notify their supervisor, and the parties will establish a new schedule if needed.

Private Area Will Be Made Available to Express Breastmilk

The County will make a reasonable effort to provide the employee with the use of a room or other location in close proximity to the employee's work area for the employee to express milk in private. A lactation room or location shall meet all the requirements set forth in section 1031 of the California Labor Code, and shall:

- A. not be a bathroom.
- B. be in close proximity to the employee's work area, shielded from view, and free from intrusion while the employee is expressing milk. The location may be the place where the lactating employee normally works if there is adequate privacy (e.g., the employee's private office, a supervisor's private office, or a conference room that can be secured).
- C. Be safe, clean, and free of hazardous materials as defined in section 6382 of the California Labor Code.
- D. Have a flat surface to place a breast pump and personal items.
- E. Have a place to sit.
- F. Have access to electricity or alternative devices, including, but not limited to, extension cords or charging stations needed to operate an electric or battery-powered breast pump.
- G. The employee shall have access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the employee's workspace. If a refrigerator cannot be provided, another cooling device such as a cooler will be provided. Each employee is responsible for proper storage of the milk. Employees storing milk in a county-owned refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering. Expressed milk must be taken home daily.
- H. When a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over the other uses, but only for the time it is in use for lactation purposes.

- I. in a multi-tenant building or multi-employer worksite, the lactation room or location may be a space shared among multiple employers within the building or worksite if a location within the County's own workspace is not available.
- J. A temporary lactation location may be designated due to operational, financial, or space limitations; however, such temporary location shall not be a bathroom and shall be in close proximity to the employee's work area, shielded from view, free from intrusion while the employee is expressing milk, and otherwise compliant with this section.

Duration

The County will continue to support and accommodate the lactating employee for up to one year after a child's birth. If additional accommodation is needed beyond this period, the employee should request an extension through their supervisor.

Retaliation Related to Breastfeeding or Expressing Milk is Prohibited

Sutter County expressly prohibits discrimination and retaliation against lactating employees for exercising, or attempting to exercise, their right to a lactation accommodation under this policy and Labor Code sections 1030 through 1034. This includes those who request time to express breast milk at work and/or who lodge a complaint related to the right to lactation accommodations.

Employee Education

This policy will be distributed to all new employees at the time of hire along with the Lactation Accommodation Request Form (Appendix A). In addition, copy shall be provided to every employee prior to their maternity leave or upon request.

Exceptions

Pursuant to Section 1032 of the California Labor Code, the County is not required to provide break time under this policy if doing so would seriously disrupt its operations; however, no denial shall occur without the concurrence of the Department Head, the Human Resources Director and the County Counsel.

PROCEDURES:

An employee shall notify their supervisor of a request for a lactation accommodation by submitting a Lactation Accommodation Request form (Appendix A).

The supervisor shall respond to the accommodation request in writing and on the same form submitted by the employee. The completed form shall then be returned to the employee with a copy sent to the Sutter County Human Resources department.

If a lactation accommodation is not effective, the employee should notify their direct supervisor to discuss possible adjustments to that accommodation.

Questions/Concerns/Complaints:

Any employee who believes that their right to express breast milk in the workplace has been violated, or that they have been subjected to harassment, discrimination or retaliation as a result of exercising that right, may contact the County Human Resources Director at (530) 822-7113.

Employees have the right to file a complaint with the labor commissioner for any violation of rights provided under Chapter 3.8 of the California Labor Code regarding lactation accommodations. For additional information, visit our Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call the toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).