

Sierra College

ADMINISTRATIVE PROCEDURE

AP 7348

Accommodations

Date Adopted: 4/5/2019

Date Revised: 3/5/2021

Date Reviewed: 3/5/2021

References: 29 U.S. Code Section 207®; 42 U.S. Code Section 12101 et seq.; 42 U.S. Code Sections 2000e et seq., 29 code of Federal Regulations Parts 1605.1 et seq., Government Code Sections 12926, 12940, and 12945; Labor Code Section 230 and 1030 et seq.; Title 2 Sections 11040 et seq., 11050, et seq., and 11060 et seq.

Absent undue hardship or direct threats to the health and safety of employee(s), the District provides employment-related reasonable accommodations to:

- Qualified individuals with disabilities, both applicants and employees, to enable them to perform essential job functions;
- Employees with conditions related to pregnancy, childbirth, lactation, or a related medical condition, if they so request, and with the advice of their health care provider;
- Employee victims of domestic violence, sexual assault, or stalking to promote the safety of the employee victim while at work; and
- Employees who request reasonable accommodation to address a conflict between religious belief or observance and any employment requirement.

Lactation Accommodation

Employees have the right to request lactation accommodation and should make the request to the Human Resources Department. Human Resources will respond to the request.

An overtime-eligible employee who wishes to express breast milk for their infant child during their scheduled work hours will receive additional unpaid time beyond the 15-minute compensated rest period. Breaks may be reasonably delayed if they would seriously disrupt operations. Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

The District will make reasonable efforts to accommodate employees by providing an appropriate location to express milk in private. The District will attempt to find a location in close proximity

to the employee's work area, and the location will be other than a bathroom. The location shall contain a surface to place a breast pump and personal items, a place to sit, and 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. Access to a sink with running water and a refrigerator or other suitable cooling device suitable for storing milk in close proximity to the employee's workspace will also be provided.

Employees occupying such private areas shall either secure the door or otherwise make it clear to others through signage that the area is occupied and should not be disturbed. All other employees should avoid interrupting an employee during an authorized break under this section, except to announce an emergency or other urgent circumstance.

Employees may file a complaint with the Labor Commissioner for any alleged violation of Labor Code Sections 1030, et. Seq., which governs lactations accommodations.

See Board Policy 7348.