

# LACTATION ROOM ACCOMMODATION POLICY

## New York City

### Overview

Kelly Services shall permit reasonable break time(s) for nursing mothers to express breast milk up to three years following child birth pursuant to section 206-c of New York City Labor Law. This New York City Lactation Room Accommodation Policy has the following goals:

- To establish guidelines promoting a work environment that supports breastfeeding
- To establish that employees have a right to request a lactation room
- To establish the process for requesting lactation-related accommodations

Branches and customers in New York City shall comply with the requirements below.

### Requirements

#### Communication:

- A copy of this policy will be disseminated to every newly hired employee.
- Employer must respond to an employee's request for lactation accommodation (detailed below) within a reasonable amount of time not to exceed five business days.
- If the employee's request for a lactation room poses an undue hardship on the employer, the employer will engage in a cooperative dialogue with the employee to determine a solution
- If two or more individuals need to use the lactation room at the same time, the employer will work with the employees to create a schedule or develop an alternative arrangement to resolve the scheduling conflict.

#### Breaks:

- Employees should notify their direct supervisor of the anticipated frequency, timing, and duration of lactation breaks they need to take.
- The break time shall, if possible, run concurrently with employee's lunch and break time.
- If the time for an employee's break time does not run concurrently or when additional time is necessary, the break time may be unpaid.

#### Lactation Space

Employer will provide breastfeeding employees with space in reasonable proximity to the employee's work area that is shielded from view and free from intrusion from co-workers and the public, to express breastmilk. The room or location may include the place where the employee normally works if it otherwise meets the requirements of the lactation space. Restrooms are prohibited from being utilized for lactation purposes. Employer will also make available a refrigerator for storage of breast milk.

#### The lactation space must:

- Be safe, clean, and free of toxic or hazardous materials
- Contain an electric outlet, chair, surface on which to place a breast pump and personal items
- Nearby access to running water

#### Lactation Policy

Employees requiring access to a lactation room should contact their supervisor directly.

In the event that more than one employee requests access to the lactation room at the same time, Employer will assist nursing employees to coordinate scheduling that accommodates all nursing employees.

#### Discrimination Related to Breastfeeding or Expressing Milk is Prohibited

The law expressly prohibits discrimination against lactating employees for exercising their rights under the law. 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.

## **Employer Records**

Employers will maintain a record of the request for a lactation space that includes the name of the Employee, the date of the request, and a description of how the Employer resolved the request. These records must be maintained for 3 years from the date of the request.

## **Questions/Concerns**

If a Kelly customer is not providing appropriate break times or for additional information or assistance, contact the HR Knowledge Center at 1-877-301-8460 or [HRKnowledgecenter@kellyservices.com](mailto:HRKnowledgecenter@kellyservices.com).