



THE CITY UNIVERSITY OF NEW YORK

LACTATION ROOM POLICY

1. OVERVIEW

In recognition of the importance and benefits of breastfeeding for mothers and infants and in compliance with applicable law, CUNY supports the rights of employees and students who are nursing mothers. CUNY is dedicated to accommodating the needs of nursing mothers for break time and a private space to express breast milk on campus. This lactation policy incorporates the new lactation laws in New York City, Int. No 879-A and Int. No. 905-A, effective March 18, 2019 and supersedes the CUNY Lactation Guidelines promulgated on March 23, 2015.

2. SCOPE

This policy applies to all CUNY employees and students.

3. POLICY STATEMENT

CUNY is required to provide its employees reasonable break time for up to three years after they give birth to express milk. An employee may do this by utilizing her paid break or meal periods, or taking unpaid break periods. The employee may also discuss with her supervisor whether it is possible to make up some or all of the lost time by extending her workday.

CUNY must also provide an employee, upon request, a room or other location, in reasonably close proximity to her work area, where she can express milk in private. The room must (a) not be a bathroom (b) be shielded from view and free from intrusion from co-workers and the public (c) have nearby access to a sink with running water and paper towels (d) be in close proximity to a refrigerator and (e) contain a table, electrical outlet and a chair.

While CUNY understands that space at the colleges is limited, the colleges should seek to identify a dedicated space for this purpose or, if no space is so dedicated, provide space upon request. If the college is unable to identify a dedicated space and the designated "lactation room" in a particular instance has multiple uses, the room cannot be used for any other purpose while an employee is expressing milk. In the unlikely event that the college determines that it would cause undue hardship to provide a lactation room for an employee, the college must engage in a cooperative dialogue (interactive process) with the employee regarding other

possible workplace accommodations. When an employee requests the use of a lactation room, the CUNY college or unit must comply with the request within five days.

For students, a dedicated room for lactation should be provided based on availability, on a first-come, first-served basis. If the college has no such dedicated room, the college should work the student to see if it is possible to identify a space where the student can express milk.

Discrimination or retaliation against an employee who chooses to express milk in the workplace is prohibited. Students who exercise their rights to express milk pursuant to these guidelines are also protected from discrimination or retaliation. Employees who wish to make a complaint of discrimination or retaliation should contact the Chief Diversity Officer at their campus; students wishing to make such a complaint should contact the campus Title IX Coordinator.