



Board Agenda Item 34

DATE: September 22, 2020
TO: Board of Supervisors
SUBMITTED BY: Jean M. Rousseau, County Administrative Officer
SUBJECT: Administrative Policy 59 Revision

RECOMMENDED ACTION(S):

Approve revised Administrative Policy 59 - Lactation Accommodation.

Approval of the recommended action will revise Administrative Policy (AP) 59. On January 1, 2020 the Statewide Lactation Accommodation law was modified and specific changes went into effect, which needed to be codified in amended language for AP 59 to remain compliant with the changes. This item is countywide.

ALTERNATIVE ACTION(S):

Your Board could choose not to approve the recommended AP revision. The current AP would remain unchanged and would be out of compliance with the Statewide Lactation Accommodation law.

FISCAL IMPACTS:

There is no increase in Net County Cost associated with the recommended action.

DISCUSSION:

The recommended AP amendment language was developed in conjunction with a committee of County stakeholders from the County Administrative Office, County Counsel's Office, the Department of Human Resources and the Department of Public Health. The purpose behind the proposed amended language is to ensure County AP 59 complies with the changes to the Statewide Lactation Accommodation Law, which went into effect on January 1, 2020.

On October 10, 2019 the State of California approved Senate Bill (SB) 142 (Chapter 720, Statutes of 2019), which amended the language of Sections 1030, 1031, 1033 and added Section 1034 to the Labor Code. The new language clarifies the responsibility for employers to provide reasonable accommodations for lactating employees and requires that employers implement a written lactation accommodation policy, which complies with the newly amended language.

Your Board's approval of the recommended revision to AP 59 will ensure the County complies with SB 142. With Board approval of this item, a County Management Directive and a Department Policy

and Procedures will be completed and distributed to departments to implement the law. The Management Directive and Department Policy and Procedures will guide departments in complying properly with the law by identifying the specific requirements the law denotes and providing a repository of easily accessible tools and information for departments to use in accordance with SB 142's revisions to the law.

ATTACHMENTS INCLUDED AND/OR ON FILE:

AP 59 - Lactation Accommodation
AP 59 - Lactation Accommodation (Redline)

CAO ANALYST:

Yussel Zalapa