

### **7.39 Lactation Accommodation Policy**

This policy establishes guidelines for promoting a breastfeeding-friendly work environment and supporting lactating employees at the University for as long as they desire to express breastmilk. The University supports the legal right and necessity of employees who choose to express milk in the workplace. This policy applies to all University employees working at all campus locations.

In accordance with the City of Baltimore's Lactation Accommodations in the Workplace Ordinance, breastfeeding employees have a legal right to request a lactation accommodation. The University will provide breastfeeding employees with reasonable break time and a suitable lactation location to express milk during working hours. Where providing such accommodation would impose an undue hardship to the University by causing significant expense or operational difficulty, the University may not be able to provide the requested accommodation and may seek a waiver or variance with the Baltimore City Community Relations Commission.

Please note that the lactation break time will run concurrently with any paid break time. If the time for an employee's lactation break does not run concurrently or when additional time is necessary, the lactation break time may be unpaid.

#### **7.39.1 Lactation Space Requirements**

The University will provide breastfeeding employees with space, other than a bathroom or closet, in close proximity to their work area that is shielded from view and from intrusion from colleagues or others, to express breastmilk. The room or location may be the place where the employee normally works if it otherwise meets the requirements for a lactation location. Questions or concerns should be directed to human resources at Ext. 2354.

#### **7.39.2 Lactation Accommodation Requests**

Breastfeeding employees who wish to express milk during working hours must submit a completed and signed Lactation Accommodation Request Form to the Human Resources Department. Employees are encouraged to submit the completed form as soon as they identify the need for a lactation accommodation. Employees should be aware that it may take the University up to five (5) business days to respond to the employee's request. Providing as much advance notice as possible will assist the University in ensuring that the accommodation can be reviewed and implemented prior to the employee's need arising (but in no event should the form be submitted less than five (5) business days in advance of the need for a lactation accommodation). The form must include signatures of the employee making the request and the employee's supervisor. Any additional breaks needed to express milk beyond the employee's regular breaks/lunch breaks, as well as the estimated period during which such accommodation will be needed, must be indicated on the form.

The University will respond to a lactation accommodation request within five (5) business days, and will engage with the employee in an interactive process to determine appropriate break periods and a lactation location. If the University is unable to provide lactation break time and/or a suitable lactation location, and/or the University has obtained a waiver or variance from the Baltimore City Community Relations Commission with regard to the obligation to provide breaks or a suitable lactation location, the University will provide the employee who has requested a lactation accommodation with a written response that describes the specific bases for which the employee's request is denied.

#### **7.39.3 Employer Records**

The University will maintain a record of the written requests for lactation accommodations that include the name of the employee, the date of the initial request and any update to the initial request, a copy of all written or digital correspondence by or on behalf of the employee and employer, and a description of how the University resolved the request. Records will be maintained

for three (3) years from the date of the request.

#### **7.39.4 Retaliation**

The University prohibits all discrimination or retaliation against any employee for exercising their rights to a lactation accommodation or for alleging a violation under the Baltimore City ordinance or alleging a violation of any Loyola University Maryland policy. Any employee who believes there has been a violation of their right to a lactation accommodation should contact the director of employee engagement (ext. 2354 or ext. 1345) immediately so that their concerns may be addressed. Employees working in Baltimore City may also file a complaint with the Baltimore City Community Relations Commission.