



## DEPARTMENTAL GENERAL ORDER

### D-19: DEPARTMENTAL LACTATION POLICY

Effective Date: 20 OCT 23

Coordinator: Health and Wellness Unit

---

#### COMMAND INTENT

The Oakland Police Department recognizes members' (sworn and professional) rights for lactation accommodation. The purpose of this policy is to provide guidance to members desiring to express breast milk for the member's child, for the entire duration of the member's lactation period.

#### A. POLICY AND APPLICABILITY

##### A - 1. Policy in Accordance with Law

The Department's policy is to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any member desiring to express breast milk for their nursing infant child (29 U.S.C. § 207 and Cal. Labor Code § 1030-1032).

##### A - 2. Applicable Members

This policy shall apply to all members temporary, part-time, full-time, of the Oakland Police Department.

##### A - 3. Lactation Break Time

A rest period should be permitted each time the member has the need to express breast milk (29 U.S.C. § 207). The Department shall provide a member a reasonable amount of break time to a member desiring to express milk. However, individual circumstances may require more or less time. Such breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time may be unpaid (Cal. Labor Code § 1030).

Members desiring to take a lactation break should notify a supervisor or if applicable the Oakland Police Communication Division to take such a break. Such breaks may be reasonably delayed if there are exigent circumstances (ex. Officer needs help (940 B), crowd management and crowd control<sup>1</sup>, active shooter etc.) that seriously disrupt department operations (Cal. Labor Code § 1032).

- All other members should avoid interrupting a member during an authorized lactation break, except to announce an emergency or other urgent circumstance.

---

<sup>1</sup> TB III G Crowd Management and Crowd Control

Once a lactation break has been approved, the break should not be interrupted by Supervisors except for emergency or exigent circumstances.

## **B. DOCUMENTATION**

### **B - 1. Lactation Accommodation Request Form (LARF)**

All members shall submit a Lactation Accommodation Request Form in accordance with DGO D-19 (Appendix A) and submit this form to the City Risk Management. Members submitting this form shall be provided DGO D-04, DGO D-21, and Administrative Instruction 404. Once this form is complete the member will be provided a key code to access the lactation rooms.

### **B - 2. Record Keeping**

Medical Unit shall maintain a record of lactation accommodation requests for a minimum of three years. The Oakland Police Department shall make these records available upon the member's request.

## **C. Locations and Accommodations for Expressing Breast Milk**

### **C - 1. Private Areas**

The Department shall accommodate members with the use of an appropriate room or other location to express milk in private. Such a room or place should be in close proximity to the member's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public<sup>2</sup>.

Member occupying such private areas shall secure the door, provide signage, and/or otherwise make it clear to others that the area is occupied with a need for privacy.

Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

### **C - 2. Lactation Room Accommodations**

The department will provide members with lactation rooms in various locations of the city. The lactation room shall comply with all of the following requirements:

1. Be safe, clean, and free of hazardous material<sup>3</sup>.

---

<sup>2</sup> 29 U.S.C. § 207 and Cal. Labor Code § 1031

<sup>3</sup> California Labor Code § 6382 Hazardous

2. Contain a surface to place a breast pump and personal items.
3. Contain a place to sit and a mirror.
4. Have access to electricity or alternative devices, including but not limited to extension cords or charging stations, needed to operate an electric-powered breast pump.

**C - 3. Location of Lactation Room**

Members shall be provided access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the member's workspace. If a refrigerator cannot be provided, an employer may provide another cooling device suitable for storing milk (Cal. Labor Code § 1031 (d)).

**C - 4. Lactation Room Locations <sup>4</sup>**

**During the completion of the Lactation Accommodation Request Form (LARF) the member will be provided a key code to the lactation rooms. There are additional keys<sup>5</sup> made available in the following locations (See B-1);**

1. Police Administration Building 6<sup>th</sup> Floor Wellness Center.
  - a. Key is in the Key tracer system labeled as Lactation Room key.
2. Eastmont;
  - a. Key is in the Key tracer system labeled as Lactation Room key #074.  
The lactation room is located behind the front desk at Eastmont.
3. Communications Division 7101 Edgewater Drive.

**D. Complaint and Reporting Procedures**

**D - 1. Oakland Police Department Complaint and Reporting**

Any member who believes they have experienced or witnessed conduct that may violate this Policy shall also report the conduct to the Department's Internal Affairs Division per the procedures set up in General Order M-03.

**D - 2. City of Oakland Complaint and Reporting <sup>6</sup>**

Members have the right to file a complaint with the City's Equal Opportunity Programs Department Employment Investigation & Civil Rights Compliance and/or Labor Commissioner for any violation of State law regarding lactation accommodation.

---

<sup>4</sup> Members can contact City Risk Management or the medical unit for additional lactation rooms available in the City Of Oakland.

<sup>5</sup> Members should follow for any lost or stolen keys DGO N-05 Lost, Stolen, Damaged City Property


<sup>6</sup> AI 404 Section H. Right to file a Complaint

The City of Oakland maintains a complaint and reporting procedure that is separate from the Police Department; reference Administrative Instruction 404 for the complete procedure.

**D - 3. Prohibition of Retaliation**

The Oakland Police Department expressly prohibits retaliation against lactating members. This includes those who request time to express breast milk and/or who lodge a complaint related to the right to lactation accommodation.<sup>7</sup>

By order of



Darren Allison  
Interim Chief of Police

Date Signed: 10/19/23

---

<sup>7</sup> AI 404 Section G. Prohibition of retaliation

APPENDIX A



## Lactation Accommodation Request Form (LARF)

In accordance with the City of Oakland Administrative Instruction 404 - Lactation Accommodation ("AI 404") and DGO D-19 Lactation Break, the Oakland Police Department will provide breastfeeding members with a reasonable amount of break time and a room or other location for the members to express milk in private.

**Members must submit this completed and signed form to the Medical Unit before the start of the request.** DGO D-04, DGO D-19, DGO D-21, AI - 404, together with this request form shall be provided to members who make an inquiry about or requests parental leave.

**Member's Information**

**Name:** \_\_\_\_\_ **Title / Position:** \_\_\_\_\_

**Department:** \_\_\_\_\_ **City of Oakland Email Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Cell Phone:** \_\_\_\_\_

**Office Location:** \_\_\_\_\_ **Supervisor's Name:** \_\_\_\_\_

**Number of Daily Breaks Requested:** \_\_\_\_\_ **Estimated Length of Each Daily Break:** \_\_\_\_\_

Do you need additional time beyond your break(s) and/or lunch break to express milk? Yes or No

Please check all dates that apply and enter the approximate number of additional breaks per day you need to express milk:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
# of Breaks:	# of Breaks:	# of Breaks:	# of Breaks:	# of Breaks:	# of Breaks:	# of Breaks:

By signing below, I hereby certify that I have received a copy of the Department-wide Lactation Policy.

Member's Signature \_\_\_\_\_ Date \_\_\_\_\_

By signing below, I hereby certify that I have read and understand the terms of the Policy, and I approve of this arrangement.

Supervisor's \_\_\_\_\_ Date \_\_\_\_\_