


**CITY OF NEW ORLEANS
CHIEF ADMINISTRATIVE OFFICE**

POLICY MEMORANDUM NO. 149

June 2, 2025

To: All Departments, Boards, Agencies and Commissions
From: Gilbert A. Montaña, Chief Administrative Officer 
Subject: **Workplace Lactation Accommodation and Employee Support**

I. PURPOSE

To establish a lactation policy, pursuant to state and federal law, that will provide a supportive environment enabling nursing employees the opportunity to express milk during working hours up to one year after the birth of their child.

II. BACKGROUND AND GOVERNING AUTHORITY

On December 29, 2022, President Biden signed the Consolidated Appropriations Act 2023 into law. The law includes the PUMP for Nursing Mothers Act (PUMP Act) which extends to nursing employees the right to receive break time and a private place to pump during working hours. Moreover, the Patient Protection and Affordable Care Act, H.R. 3590, Section 4207; and State – Louisiana Revised Statutes 23:341 and 23:342 establish legal requirements for employers.

III. STATEMENT OF POLICY

The City of New Orleans recognizes that breast milk provides optimal infant nutrition, providing a multitude of health benefits to both infants and parents and that conditions in the workplace have a substantial effect on breastfeeding initiative and duration.

Therefore, the City is establishing this policy to ensure that every lactating parent employed with the City has access to private space and time for expressing milk upon returning to work.

This entitlement is provided to employees up to one year after the child's birth.

The City will not tolerate discrimination or harassment against any employee based on the request for or usage of lactation accommodations.

IV. SCOPE

This policy applies to all classified and unclassified employees.

V. ACCOMMODATION GUIDELINES

A. Space for Expressing Milk

Employees will be provided with the use of a sanitary area, other than a bathroom, that is shielded from view, free from intrusion from coworkers and the public. This space can be the employee's private workspace if it meets all requirements listed below:

1. This space should also be located no more than a 5-minute walk from:
 - a. The employee's workstation.
 - b. A sink to wash hands; and
 - c. A refrigerator for easily accessible storage.

2. At a minimum, this location shall be equipped with:
 - a. Electrical outlet
 - b. Chair
 - c. Workstation or small table
 - d. Lock and sign to put on the door when in use; and
 - e. Lighting

B. Time to Express Milk

1. Breastfeeding employees shall be provided with a reasonable amount of break time for milk expression to provide breast milk for their children.
2. An employee who uses their break time to express breast milk will be compensated to the same extent and in the same way that other employees are compensated for break time.
3. An employee may not be required to work while pumping. However, if the employee works while pumping, the employee will be paid at their regular rate for that time.

VI. PROCEDURES TO REQUEST LACTATION ACCOMMODATIONS

- A. Before an employee returns from parental leave, the Human Resources manager for their department will provide this policy to the employee in writing (electronically or by mail) and request information from the employee regarding their need for reasonable accommodations to express breastmilk at work, using the Workplace Lactation Accommodation and Employee Support Request Form.
- B. Employees may also independently request a lactation accommodation by contacting their supervisor and submitting the Workplace Lactation Accommodation and Employee Support Request Form directly to them.
- C. The Human Resources manager or supervisor will respond to a request for lactation accommodation as quickly as possible. Under no circumstances will this amount of time exceed five (5) business days. During the time it takes to respond to a request and/or engage in a cooperative dialogue to determine accommodation, the Department shall provide a temporary accommodation to the employee so that the employee can pump in the manner that meets the employee's immediate needs.
- D. The City recognizes that employees' lactation accommodation needs may change over time. Employees may request changes to their existing lactation accommodation in writing at any point.
- E. If a lactating employee is not in close proximity (no farther than a 5-minute walk) to a designated lactation room their supervisor must work with them to identify a space that meets the requirements outlined in Section V of this policy.
- F. If a space is not available at the employee's work location, the employee may request that a temporary lactation pod be brought to their location through their HR Department. The HR Department must complete a Service Request form and submit it to Property Management. Please note: It may take up to four weeks for assembly and delivery of the temporary lactation pod.

VII. INQUIRIES

If a supervisor is unable to identify a space that meets the guidelines established in Section V of this policy, please contact Property Management at (504) 658-3600 to inquire about the placement of a temporary lactation pod.

Questions regarding this memorandum should be directed to the Chief Administrative Office at (504) 658-8600.

GAM/RTH/ber

Attachment: Workplace Lactation Accommodation and Employee Support Request Form

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