



## CITY OF PORTLAND, OREGON



### Bureau of Police

Ted Wheeler, Mayor

Charles Lovell, Chief of Police

1111 S.W. 2nd Avenue • Portland, OR 97204 • Phone: 503-823-0000

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### Executive Summary

## Directive 0414.00, Pregnancy and Lactation Accommodations (formerly Directives 0414.00, Pregnancy, and 0210.20, Milk Expression)

### Introduction

The Portland Police Bureau initiated its review of Directive 0414.00, Pregnancy, and Directive 0210.20, Milk Expression, in January 2021. As a result of that review, both policies were consolidated under Directive 0414.00 and renamed “Pregnancy and Lactation Accommodations” to centralize the important information the policies contain.

The Bureau made several significant changes to the revised directive, including providing greater flexibility, resources, and accommodations for pregnant and lactating members. The revised directive also increases transparency about Bureau protocol for pregnancy and lactation, and uses an expansive definition of pregnancy that is consistent with state law and the City of Portland Human Resources Administrative Rule 2.06, Reasonable Employment Accommodations.

### Public Comments

The Bureau received several comments during both of the universal review and public comment periods for the directive. Multiple commenters pointed to a need for greater flexibility for the scheduling and duration of lactation breaks. Commenters also sought gender-neutral language in the policy, modified duty assignments for lactation, better options for lactation rooms, lactation accommodations in more circumstances, and weapons qualification accommodations to remain in full duty status while avoiding lead and noise exposure. The revised directive addresses all of the comments received.

### *Dedicated Lactation Rooms*

The Bureau received feedback that existing spaces for lactation were inconvenient and difficult to use because the spaces served other primary purposes. The revised directive establishes dedicated lactation rooms at North Precinct, East Precinct, the Justice Center, the Training Division, and the Penumbra Kelly Building. The revised directive also provides greater detail regarding lactation room requirements, guidance for milk storage, and points to aspirational lactation room features, such as proximity to a refrigerator, microwave, and sink.

### *Increased Flexibility for Paid Lactation Breaks*

The Bureau received several comments discussing a need for greater flexibility for the duration of lactation breaks. While the former directive provided for 30-minute breaks (paid time) up to 3 times per day, the revised directive provides up to 90 minutes of paid breaks total each day for members to divide and use as needed.

### *Increased Transparency*

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The revised directive codifies an existing Bureau practice of providing modified duty assignments for lactating members until the member's child is 18 months old. Although this is not a new practice, the revised policy makes the practice official and communicates the existence of this accommodation. Modified duty assignments offer lactating sworn members an alternative option to the challenges presented by pumping while on uniformed patrol. This temporary accommodation supports lactating members to more comfortably and reliably provide breastmilk for their babies.

The revised directive also establishes the practice of offering pregnant sworn members an informational conference with the FMLA Coordinator, FPDR Liaison, HR Business Partner, and an EAP representative to discuss pregnancy-related accommodations and potential leave options. This conference aims to provide better resources and an understanding of Bureau practices to members during their pregnancy.

Finally, the revised directive directs the Personnel Division to maintain a Standard Operating Procedure that outlines the availability and assignment procedures for modified duty assignments. This change increases transparency surrounding how these assignments are determined and provides needed guidance for what pregnant members can expect if and when they are in a modified duty status.

#### ***New Weapons Qualification Accommodation***

The Bureau received feedback that sought flexibility for pregnant members regarding their weapons qualification requirements. Specifically, commenters expressed interest in remaining in full duty status while avoiding the risk of dangerous levels of lead exposure and noise exposure that exist during traditional weapons qualifications. The revised directive introduces an alternative option of qualifying using a simulated weapons qualification platform, avoiding the lead and noise exposure of qualifying in the firing range.

#### **The Bureau's Revised Policy**

The Bureau made significant revisions to Directive 0414.00, Pregnancy and Lactation Accommodations, offering a constructive approach to supporting members through pregnancy and growing their families. The revised directive establishes dedicated lactation rooms, increases flexibility for paid lactation breaks, sheds lights on modified duty as a potential accommodation, and offers greater resources and accommodations for pregnant and lactating members.

The Bureau welcomes further feedback on this policy during its next review.

This directive goes into effect on July 31, 2021. Published on July 1, 2021.

## **0414.00 Pregnancy and Lactation Accommodations**

### **Refer:**

- The Pregnancy Discrimination Act of 1978, amending Title VII of the Civil Rights Act of 1964
- ORS 653.077, Expressing milk in workplace
- ORS 659A.145, Prohibited conduct
- ORS 659A.146, Reasonable accommodation
- City of Portland Human Resources Administrative Rule 1.06, Employee Medical Files
- City of Portland Human Resources Administrative Rule 2.06, Reasonable Employment Accommodations
- City of Portland Human Resources Administrative Rule 6.01, General Leaves of Absence
- City of Portland Human Resources Administrative Rule 6.05, Family Medical Leave
- City of Portland Human Resources Administrative Rule 8.01, Hours of Work and Schedules
- DIR 0020.00, Mission, Values, and Goals
- DIR 0060.40, Personnel Orders
- DIR 0210.21, Leaves from Service
- DIR 0210.29, Personnel Assignments
- DIR 0410.00, Injuries/Occupational Illness/Disability/LOS
- DIR 0415.00, Return to Work Policy
- DIR 1500.00, Training

### **Definitions:**

- Full Duty: A sworn member's status as able to perform the full range of job responsibilities associated with the police officer job classification, without restrictions.
- Modified Duty: A sworn member's temporary status as not able to perform the full range of job responsibilities associated with the police officer job classification, provided as a reasonable accommodation for pregnancy.
- Pregnancy: For the purpose of this directive, "pregnancy" means pregnancy, childbirth, or a related medical condition, including but not limited to lactation.
- Reasonable Accommodation: reasonable accommodation may include, but need not be limited to acquisition or modification of equipment or devices; more frequent or longer periods or periodic rest; assistance with manual labor; or modification of work schedule or job assignments.

### **Policy:**

1. The Bureau recognizes that a diverse workforce is essential to best serve the community, women police officers are a fundamental part of that diversity, and trained and

experienced police officers are a critical resource. Pregnancy is a temporary medical condition that may or may not affect a member's ability to perform their job responsibilities.

2. This directive establishes procedures for providing pregnant and/or lactating members reasonable accommodations (which may include temporary modified duty assignments) and leave when they are unable to perform part or all of their job responsibilities for medical reasons related to pregnancy. The Bureau will strive to offer modified duty assignments for pregnancy that allow sworn members to maintain or grow their skills and develop their careers.

**Procedure:**

1. Notification Procedures.

- 1.1. For public safety and management purposes, sworn members are encouraged to notify the Bureau as soon as practicable upon confirmation of and decision to continue their pregnancy. However, sworn members are not required to disclose a pregnancy unless or until the member reasonably believes they cannot safely perform their current job responsibilities and/or if the member seeks a pregnancy-related accommodation, such as a modified duty assignment.
- 1.2. To notify the Bureau of their pregnancy and, if applicable, request accommodations, sworn members shall contact any supervisor, EAP member, Human Resources (HR) Business Partner, or the Personnel Division (Personnel) Manager.
  - 1.2.1. Members shall request modified duty for their pregnancy in writing. Members may be asked to obtain a physician's letter outlining any restrictions that limit the member's ability to perform their current job responsibilities.
- 1.3. If a sworn member discloses their pregnancy to a supervisor, EAP member, or HR Business Partner, the supervisor, EAP member, or HR Business Partner shall notify the Personnel Manager directly, as soon as practicable.
- 1.4. The Personnel Manager or designee shall offer the pregnant sworn member a conference with the FMLA Coordinator, FPDR Liaison, HR Business Partner, and EAP representative to review this directive and provide information on pregnancy-related accommodations and potential leave options.
- 1.5. The Personnel Manager shall inform the member's RU manager of any necessary accommodations or modifications to the member's duty status.

1.6. Pregnant or lactating sworn members shall not be reassigned or placed on modified-duty or leave because of their pregnancy unless requested by the pregnant or lactating member.

1.6.1. The Bureau may determine that a member's medical condition prevents the member from safely performing all of their job responsibilities. In such cases, the Bureau shall not treat pregnancy differently than any other medical condition which prevents the employee from safely performing all of their job responsibilities and shall comply with all applicable laws, and bargaining agreements.

1.7. When on modified duty, members have an obligation to inform the Bureau if and when they are capable of returning to full duty. Accordingly, members shall submit a physician's letter as soon as practicable if/when their pregnancy or related medical condition changes and the change affects their ability to perform their job responsibilities.

## 2. Full-Duty Option.

2.1. Pregnant and lactating sworn members may remain in full-duty status as long as they are able to safely perform their job responsibilities.

2.2. Pregnant or lactating sworn members should consult their physician to consider risks and benefits of remaining in full-duty status.

2.3. The Bureau shall provide uniform accommodations for pregnancy when practicable.

2.4. The Bureau shall provide pregnant or lactating sworn members with reasonable accommodations for weapons qualifications, including but not limited to the following:

2.4.1. Non-toxic, lead-free ammunition.

2.4.2. Assistance with cleaning and loading firearms.

2.4.3. Firearms silencer use.

2.4.4. Simulated weapons qualification platform.

## 3. Modified Duty Option.

3.1. During pregnancy, sworn members may request, and shall be granted to the extent practicable, a temporary modified duty assignment for medical reasons related to their pregnancy.

3.1.1. Lactating members are eligible for modified duty assignments only until their child is 18 months old, unless granted an extended modified duty assignment at Bureau discretion.

- 3.2. The types of modified duty assignments available are based on the operational and business needs of the Bureau.
- 3.3. Members in modified duty assignments may be reassigned or have work hours and days off changed based on the needs of the Bureau, availability of modified duty assignments, and pursuant to applicable collective bargaining agreements.
- 3.4. Modified duty assignments for pregnancy may consist of, but are not limited to:
  - 3.4.1. Taking calls for service by phone and writing police reports.
  - 3.4.2. Review and approval of police reports submitted online.
  - 3.4.3. Operating a police radio.
  - 3.4.4. Desk-based investigatory work.
- 3.5. Modified duty assignments for pregnancy could involve restrictions for varying medical reasons. Every person's pregnancy and medical needs are different.
- 3.6. Personnel shall maintain an SOP outlining the availability and assignment procedures for modified duty assignments for sworn members. The SOP shall include how job analysis is determined for modified duty assignments and how modified duty special assignments are assigned.
- 3.7. The Bureau shall not discriminate based on pregnancy when allocating modified-duty assignments among members with other medical conditions.
4. Other Reasonable Accommodations.
  - 4.1. This directive is not exhaustive regarding reasonable accommodations for pregnancy. Members requiring an accommodation for pregnancy can contact the HR Business Partner to discuss additional reasonable accommodations.
5. Leave and Return from Leave and/or Modified Duty.
  - 5.1. The Bureau shall comply with City of Portland Human Resources Administrative Rule 6.01, General Leaves of Absence; City of Portland Human Resources Administrative Rule 6.05, Family Medical Leave; Directive 0210.21, Leaves from Service; and Directive 0415.00, Return to Work Policy.
  - 5.2. Members returning from pregnancy-related leave shall receive retraining in accordance with Directive 1500.00, Training.
  - 5.3. The Bureau shall strive to assign sworn members to the same RU they were assigned prior to their leave when requested by the sworn member.

## 6. Lactation.

6.1. The Bureau shall provide lactating members up to 90 minutes of paid breaks each day to express milk for the member's child 18 months old or younger.

6.2. Members shall notify a supervisor, EAP member, HR Business Partner, or the Personnel manager in writing of their intent to express milk at work.

### 6.3. Lactation Rooms.

6.3.1. The Bureau shall provide a private location, in close proximity to the member's workplace, for members to express milk

6.3.2. The Bureau shall establish at least one dedicated lactation room at North Precinct, East Precinct, the Justice Center, the Training Division, and the Penumbra Kelly Building for members to express milk.

6.3.3. Lactation rooms shall:

6.3.3.1. Be private, shielded from view, and not located in a restroom.

6.3.3.2. Have a locking door and operational electrical outlet.

6.3.3.3. Include a chair and/or couch and table and/or desk.

6.3.3.4. Contain signage on the door to indicate when the room is occupied.

6.3.4. When possible, lactation rooms should contain or be close in proximity to a refrigerator, a microwave, and a sink with clean, potable water.

### 6.4. Storage of Milk

6.4.1. Members are responsible for making arrangements for storing expressed milk.

6.4.2. Members may use refrigerators located on Bureau property, unless the refrigerator is used for storing biohazards or laboratory specimens. Members shall provide their own containers for expressed milk and store the containers in a labeled, personal storage bag.

### 6.5. Retaliation Prohibited.

6.5.1. This directive strictly prohibits any retaliation, or threat of retaliation, for requesting or receiving an accommodation under this directive.

## 7. Confidentiality.

7.1. The Bureau will ensure the confidentiality of all medical information obtained regarding accommodations under this directive. Medical documentation must be kept separate from an individual's personnel file. Non-medical information obtained during this process is shared as needed with those involved in providing accommodations.

## **HISTORY**

- Originating Date: 04/29/13
- Last Revision Signed: 07/01/21
- Effective Date: 07/31/21
  - Rescind Directive 210.20, Milk Expression
- Next Review Date: 07/31/23



## **0414.00 Pregnancy and Lactation Accommodations**

### **Refer:**

- The Pregnancy Discrimination Act of 1978, amending Title VII of the Civil Rights Act of 1964
- ORS 653.077, Expressing milk in workplace
- ORS 659A.145, Prohibited conduct
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- City of Portland Human Resources Administrative Rule 6.01, General Leaves of Absence
- City of Portland Human Resources Administrative Rule 6.05, Family Medical Leave
- City of Portland Human Resources Administrative Rule 8.01, Hours of Work and Schedules
- DIR 4150020.00 Modified Duty, Mission, Values, and Goals
- DIR 0060.40, Personnel Orders
- DIR 0210.21, Leaves from Service
- DIR 0210.29, Personnel Assignments
- —DIR 210.05 FieldDIR 0410.00, Injuries/Occupational Illness/Disability/LOS
- DIR 0415.00, Return to Work Policy
- DIR 1500.00, Training Program  
DIR 210.21 Leaves

### **Definitions:**

- Full Duty: A sworn member's status as able to perform the full range of Service job responsibilities associated with the police officer job classification, without restrictions.  
—City Administrative Rule 6.05

### **1. STATEMENT OF PURPOSE**

- Modified Duty: A sworn member's temporary status as not able to perform the full range of job responsibilities associated with the police officer job classification, provided as a reasonable accommodation for pregnancy.
- Pregnancy: For the purpose of this directive, "pregnancy" means pregnancy, childbirth, or a related medical condition, including but not limited to lactation.
- Reasonable Accommodation: reasonable accommodation may include, but need not be limited to acquisition or modification of equipment or devices; more frequent or longer periods or periodic rest; assistance with manual labor; or modification of work schedule or job assignments.

## Policy:

1. The Bureau recognizes that a diverse workforce is a valuable asset, and the availability of essential to best serve the community, women police officers are a fundamental part of that diversity, and trained and experienced police officers are a critical resource. Pregnancy is a temporary medical condition that may or may not affect a member's ability to perform their job responsibilities.
2. This directive establishes procedures for providing pregnant and/or lactating members reasonable accommodations (which may include temporary modified duty assignments) and leave when they are unable to perform part or all of their job responsibilities for medical reasons related to pregnancy. The Bureau will not assume a member is unable to strive to offer modified duty assignments for pregnancy that allow sworn members to maintain or grow their skills and develop their careers.

## Procedure:

### 1. Notification Procedures.

- 1.1. For public safety and management purposes, sworn members are encouraged to notify the Bureau as soon as practicable upon confirmation of and decision to continue her regular job functions solely because she is pregnant their pregnancy. However, sworn members are not required to disclose a pregnancy unless or until the member reasonably believes they cannot safely perform their current job responsibilities and/or if the member seeks a pregnancy-related accommodation, such as a modified duty assignment. This policy establishes procedures
- 1.2. To notify the Bureau of their pregnancy and, if applicable, request accommodations, sworn members shall contact any supervisor, EAP member, Human Resources (HR) Business Partner, or the Personnel Division (Personnel) Manager.
  - 1.2.1. Members shall request modified duty for their pregnancy in writing. Members may be asked to modify full-duty assignments obtain a physician's letter outlining any restrictions that limit the member's ability to perform their current job responsibilities.
- 1.3. If a sworn member discloses their pregnancy to a supervisor, EAP member, or HR Business Partner, the supervisor, EAP member, or HR Business Partner shall notify the Personnel Manager directly, as soon as practicable.
- 1.4. The Personnel Manager or designee shall offer the pregnant sworn member a conference with the FMLA Coordinator, FPDR Liaison, HR Business Partner, and EAP representative to review this directive and provide temporary alternative information on pregnancy-related accommodations and potential leave options.

1.5. The Personnel Manager shall inform the member's RU manager of any necessary accommodations or modifications to the member's duty assignments to eligible sworn members status.

1.6. Pregnant or lactating sworn members shall not be reassigned or placed on modified-duty or leave because of their pregnancy unless requested by the pregnant or lactating member.

1.6.1. The Bureau may determine that a member's medical condition prevents the member from safely performing all of their job responsibilities. In such cases, the Bureau shall not treat pregnancy differently than any other medical condition which prevents the employee from safely performing all of their job responsibilities and shall comply with all applicable laws, and bargaining agreements.

~~1.2.1.7.~~ When on modified duty, members have an obligation to inform the Bureau if and when they are unable to safely perform all the essential functions of their normal assignments capable of returning to full duty. Accordingly, members shall submit a physician's letter as soon as practicable if/when their pregnancy or related medical condition changes and the change affects their ability to perform their job responsibilities.

~~1.1. This policy is not intended to interfere with a sworn member's rights under federal, state, or local law; or any other city administrative rule or collective bargaining agreement.~~

## ~~2. DIRECTIVE SPECIFIC DEFINITIONS~~

~~2.1. JOB ANALYSIS: Includes two components: (1) Job tasks within a job classification identified by the Bureau that may be performed by a member who is eligible for a modified duty assignment; and (2) a physical and/or mental capacities assessment of a modified duty assignment.~~

## ~~3. POLICY~~

### 2. Full-Duty Option.

2.1. Pregnant and lactating sworn members may remain in full-duty status as long as they are able to safely perform their job responsibilities.

2.2. Pregnant or lactating sworn members should consult their physician to consider risks and benefits of remaining in full-duty status.

2.3. The Bureau shall provide uniform accommodations for pregnancy when practicable.

2.4. The Bureau shall provide pregnant or lactating sworn members with reasonable accommodations for weapons qualifications, including but not limited to the following:

2.4.1. Non-toxic, lead-free ammunition.

2.4.2. Assistance with cleaning and loading firearms.

2.4.3. Firearms silencer use.

2.4.4. Simulated weapons qualification platform.

### 3. Modified Duty Option.

~~3.1. During a pregnancy, upon written recommendation of a physician, a sworn member~~members may request, and shall be granted to the extent practicable, a temporary modified duty assignment.

~~3.1. The Bureau is committed to assigning members to a~~modified duty assignment for medical reasons relating~~related to their pregnancy, whenever possible. However there may be circumstances when the Bureau must limit such.~~

3.1.1. Lactating members are eligible for modified duty assignments only until their child is 18 months old, unless granted an extended modified duty assignment at Bureau discretion.

~~1.3.3.2.~~ The types of modified duty assignments available are based on the operational and business needs of the Bureau.

~~The~~

~~3.3. Members in modified duty assignments may be reassigned or have work hours and days off changed based on the needs of the Bureau, availability of modified duty assignments, and pursuant to applicable collective bargaining agreements.~~

3.4. Modified duty assignments for pregnancy may consist of, but are not limited to:

3.4.1. Taking calls for service by phone and writing police reports.

3.4.2. Review and approval of police reports submitted online.

3.4.3. Operating a police radio.

3.4.4. Desk-based investigatory work.

3.5. Modified duty assignments for pregnancy could involve restrictions for varying medical reasons. Every person's pregnancy and medical needs are different.

~~3.2. Personnel Division will be responsible for maintaining~~shall maintain an SOP outlining the procedure for placing eligible availability and assignment procedures for modified duty assignments for sworn members in a modified duty assignment for reasons relating to pregnancy.

~~1.4.3.6.~~ . The SOP will be regularly reviewed to ensure adherence to any Bureau obligations established under federal, state and local law, city administrative rules, FPDR guidelines, collective bargaining agreements, or any other applicable city

policiesshall include how job analysis is determined for modified duty assignments and how modified duty special assignments are assigned.

#### ~~4. SWORN MEMBER RESPONSIBILITIES~~

~~4.1. A Pregnant member may request modified-duty assignments through her immediate supervisor.~~ The Bureau shall not discriminate based on pregnancy when allocating modified-duty assignments through her immediate supervisor.

~~4.2. A member requesting a modified duty assignment will submit a statement from her health care provider verifying the pregnancy and specifying any applicable restrictions or limitations at work.~~

~~1.5.3.7. A job analysis by a qualified among members with other medical professional is required to determine if the modified duty assignment is within the member's restrictions or limitations.~~ conditions.

~~If at any point during the~~

#### ~~4. Other Reasonable Accommodations.~~

~~4.1. This directive is not exhaustive regarding reasonable accommodations for pregnancy if it becomes necessary for the member. Members requiring an accommodation for pregnancy can contact the HR Business Partner to take a leave discuss additional reasonable accommodations.~~

#### ~~5. Leave and Return from Leave and/or Modified Duty.~~

~~1.6.5.1. The Bureau shall comply with City of absence, such leave will be processed consistent with the Portland Human Resources Administrative Rules regarding Rule 6.01, General Leaves of Absence; City of Portland Human Resources Administrative Rule 6.05, Family Medical Leave; Directive 0210.21, Leaves from Service; and Directive 0415.00, Return to Work Policy.~~

~~4.3. In all cases, members who are in a modified duty assignment for more than 14 days must be placed on a modified duty contract.~~

#### ~~5. SUPERVISOR RESPONSIBILITIES~~

~~5.1. In the event of a request for a temporary job accommodation, reassignment or leave; the supervisor shall notify the Branch Chief through channels. The Branch Chief will forward the request to the Personnel Division who will assign the sworn member to a modified duty assignment, if available.~~

#### ~~6. PROBATIONARY MEMBERS~~

~~6.1. This policy is applicable to non-probationary members only. For the policy regarding probationary members see DIR 210.05 Field Training Program; DIR 210.21 Leaves of Service and DIR 415.00 Modified Duty Assignments.~~

#### ~~7. CONFIDENTIALITY~~

~~Information regarding the request should be maintained as confidential to the extent permitted and or required by law, however this information may also be provided to~~

~~appropriate Bureau personnel or medical representatives, as necessary, to comply with this policy.~~

5.2. Members returning from pregnancy-related leave shall receive retraining in accordance with Directive 1500.00, Training.

5.3. The Bureau shall strive to assign sworn members to the same RU they were assigned prior to their leave when requested by the sworn member.

## 6. Lactation.

6.1. The Bureau shall provide lactating members up to 90 minutes of paid breaks each day to express milk for the member's child 18 months old or younger.

6.2. Members shall notify a supervisor, EAP member, HR Business Partner, or the Personnel manager in writing of their intent to express milk at work.

### 6.3. Lactation Rooms.

6.3.1. The Bureau shall provide a private location, in close proximity to the member's workplace, for members to express milk

6.3.2. The Bureau shall establish at least one dedicated lactation room at North Precinct, East Precinct, the Justice Center, the Training Division, and the Penumbra Kelly Building for members to express milk.

#### 6.3.3. Lactation rooms shall:

6.3.3.1. Be private, shielded from view, and not located in a restroom.

6.3.3.2. Have a locking door and operational electrical outlet.

6.3.3.3. Include a chair and/or couch and table and/or desk.

6.3.3.4. Contain signage on the door to indicate when the room is occupied.

6.3.4. When possible, lactation rooms should contain or be close in proximity to a refrigerator, a microwave, and a sink with clean, potable water.

### 6.4. Storage of Milk

6.4.1. Members are responsible for making arrangements for storing expressed milk.

6.4.2. Members may use refrigerators located on Bureau property, unless the refrigerator is used for storing biohazards or laboratory specimens. Members shall provide their own containers for expressed milk and store the containers in a labeled, personal storage bag.

### 6.5. Retaliation Prohibited.

6.5.1. This directive strictly prohibits any retaliation, or threat of retaliation, for requesting or receiving an accommodation under this directive.

## 7. Confidentiality.

7.1. The Bureau will ensure the confidentiality of all medical information obtained regarding accommodations under this directive. Medical documentation must be kept separate from an individual's personnel file. Non-medical information obtained during this process is shared as needed with those involved in providing accommodations.

### **HISTORY**

Established April 29, 2013

New directive (by D. Virtue, C. Morgan, C. Parra)

Effective April 29, 2013

Review Date: April 29, 2013

### ~~210.20 MILK EXPRESSION~~

~~Refer: — DIR 410.00~~

~~— ADMINISTRATIVE RULE: 8.01 Hours of Work~~

~~— ADMINISTRATIVE RULE: 6.05 Family Medical Leave~~

### ~~1. STATEMENT OF PURPOSE~~

~~1.1. — The purpose of this policy is to provide reasonable accommodations to members desiring to express breast milk for the member's infant child. The policy allows the Bureau the flexibility to having a fully trained officer return to work during a time period when she would otherwise be unavailable.~~

### ~~2. DIRECTIVE SPECIFIC DEFINITIONS~~

~~2.1. — Eligible member: Members who have recently given birth or who have given birth within the last 18 months, and have advised the Bureau of their intent to express milk while at work in either a patrol or non-patrol capacity.~~

### ~~3. POLICY~~

~~3.1. — It is the policy of the Bureau to provide reasonable break time and appropriate facilities to accommodate any member desiring to express milk for her nursing child 18 months or younger, in compliance with BHR Rule 8.01 (Hours of Work) and all applicable federal and state laws.~~

### ~~4. GUIDELINES~~

~~4.1. — Requests for accommodations to express milk should be submitted in writing by the member through the chain of command.~~

~~4.2. Per BHR Rule 8.01 (Hours of Work), milk expression accommodations will be provided to those members (FLSA covered or exempt) who have a child 18 months or younger.~~

~~4.3. The member will be provided a private location, in close proximity to her work area to express milk.~~

~~4.4. The proximity of a milk expression location will be considered by supervisors when making district assignments for members working patrol.~~

~~4.5. The private location must ensure the member is concealed from view and protected from intrusion by other people. As an example, a public restroom or toilet stall is not an acceptable location.~~

~~4.6. Members will be authorized to leave work duties for the purposes of expressing milk, up to three (3) times a day for thirty (30) minutes each (paid time).~~

~~4.7. Whenever possible, the 30-minute expression period should coincide with the member's regular meal/rest period.~~

~~4.8. Members will be placed in "10-7" status while expressing milk.~~

~~4.9. A member will return to her regular assignment at the end of each expression period.~~

## ~~5. MILK EXPRESSION AGREEMENT~~

~~5.1. A member will notify her supervisor in writing of her intent to express milk at work.~~

~~5.2. Sufficient notice should be given to allow the Bureau to make necessary preparations to accommodate the request.~~

~~5.3. If any schedule adjustment is needed within the parameters of 8.01 (hours of Work) or 6.05 (Family Medical Leave), a written request or application is required.~~

~~5.4. Upon request, the Personnel Division will provide a written Milk Expression Agreement for the requesting member and her supervisor to sign, along with a list of milk expression stations throughout the city.~~

## ~~6. MEDICAL RESTRICTIONS~~

~~6.1. If a member has a documented medical restriction related to milk expression, the member will provide her supervisor with a medical certification from her treating physician that details any suggested work restrictions.~~



~~6.2. — RU Managers, in consultation with the Personnel Division, will determine if and how the work restrictions will be accommodated.~~

## ~~7. EQUIPMENT~~

~~7.1. — A member will have the option of purchasing, at her own expense, an exterior ballistic vest prior to returning to patrol.~~

## ~~8. TRANSITION PERIOD~~

~~8.1. — A member will have the option of a two (2) week desk assignment prior to returning to patrol after being absent as a result of a pregnancy.~~

## ~~9. MEMBER RESPONSIBILITIES~~

~~9.1. — Provide written notice of her intent to express milk to her supervisor.~~

~~9.2. — Provide supervisor with written certification of any medical restrictions, if applicable.~~

## ~~10. SUPERVISOR RESPONSIBILITIES~~

~~10.1. — Forward requests through channels.~~

~~10.2. — Present recommendations regarding any required schedule adjustments to the RU Manager for consideration.~~

## ~~11. RU MANAGERS RESPONSIBILITIES~~

~~11.1. — Review expression request, and if approved, notify the Personnel Division and the applicable RU that the member will be authorized to leave work duties for the purpose of milk expression.~~

# #1

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Monday, March 15, 2021 10:14:53 AM  
**Last Modified:** Monday, March 15, 2021 10:17:55 AM  
**Time Spent:** 00:03:02

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Page 1

## Q1

Please provide feedback for this directive

re: 5.1. should include something that addresses any necessary variation to the times/breaks, as often, milk expression is not dictated by a schedule and milk can and will come gushing out with no warning. An agreement between lactating member and supervisor can supersede the directive if necessary and appropriate.

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## Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Amy Johnson**

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## #2

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, March 16, 2021 8:59:39 AM  
**Last Modified:** Tuesday, March 16, 2021 9:10:47 AM  
**Time Spent:** 00:11:07

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Page 1

### Q1

Please provide feedback for this directive

As a woman who has had a child, I think this looks like a very reasonable policy. I can see a great deal of consideration has gone into it.

---

### Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Ruth Yasui**

---

#3

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, March 16, 2021 9:38:48 AM  
**Last Modified:** Tuesday, March 16, 2021 9:44:45 AM  
**Time Spent:** 00:05:56

---

Page 1

**Q1**

Please provide feedback for this directive

1.7 please clarify member does not need to notify as soon as physically able to return to duty, if they are still within their 12 weeks of FMLA leave. They aren't required to notify anyone of anything during that time, in my understanding.  
Section 5, Lactation, as with pregnancy, is different in each case, and 30 minutes may not be enough time for a lactating person to "let down" milk to express/pump. Please consider adding some flexibility for lactating members to discuss possible adjustments to break schedule, like 2 of 45 minutes or 1 of 90 minutes.

---

**Q2**

Contact Information (optional - your name will be visible on PPB's website)

Name **M. Skinner**

---

# #1

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Friday, January 15, 2021 9:13:23 AM  
**Last Modified:** Friday, January 15, 2021 9:13:32 AM  
**Time Spent:** 00:00:09

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Page 1

## Q1

Please provide feedback for this directive

210 test

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## Q2

**Respondent skipped this question**

Contact Information (optional - your name will be visible on PPB's website)

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## #2

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Friday, January 15, 2021 1:05:46 PM  
**Last Modified:** Friday, January 15, 2021 1:06:48 PM  
**Time Spent:** 00:01:02

---

Page 1

### Q1

Please provide feedback for this directive

People using she/her/hers pronouns are not the only ones who lactate. Remove gendered language and replace with they/them/theirs.

---

### Q2

**Respondent skipped this question**

Contact Information (optional - your name will be visible on PPB's website)

---

# #3

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Sunday, January 17, 2021 12:03:13 AM  
**Last Modified:** Sunday, January 17, 2021 12:11:52 AM  
**Time Spent:** 00:08:38

---

Page 1

## Q1

Please provide feedback for this directive

4.7 States that the member expressing the milk should plan to express during a meal break. I know when I expressed, my breasts determined that time, not my hunger. I feel this section is unnecessary. I don't feel that a woman will go 10-7 to pump and then turn around and go 10-82. We already make ourselves feel guilty that we are missing out on work as it is.

7.1 When an officer gains a bunch of weight and or loses weight we buy them appropriate equipment, correct? I feel this is no different than that. Choosing to grow your family, should not be a punishment.

During a lactation contract, women should be offered an off the street job as an accommodation. This is a short term ask, and it could mean keeping a valuable employee working for PPB. Wearing a vest while lactating is very painful, pumping during patrol duty is very stressful. Its not fair to make women choose to breast feed their baby or go back to work.

Rename this policy, something about lactation and please fold it into 414.00 Pregnancy.

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## Q2

**Respondent skipped this question**

Contact Information (optional - your name will be visible on PPB's website)

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## #4

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Sunday, January 17, 2021 9:06:05 AM  
**Last Modified:** Sunday, January 17, 2021 9:08:53 AM  
**Time Spent:** 00:02:47

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Page 1

### Q1

Please provide feedback for this directive

Consider adding "or have recently given birth" to accommodate women who have experienced the death of a child and are still lactating.

---

### Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Melissa Ruth**

---



#5

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Thursday, January 21, 2021 12:18:36 PM  
**Last Modified:** Thursday, January 21, 2021 12:21:07 PM  
**Time Spent:** 00:02:31

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Page 1

**Q1**

Please provide feedback for this directive

First suggestion is to change the name from milk expression to some version including lactation. Secondly, East precinct has a tiny closet with no chair (Honor Guard Room) set aside. Every member of HG knows the code to get into that room. Explore a better option. North uses a quiet room....I think we can do better for our people.

---

**Q2**

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

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#6

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Thursday, January 21, 2021 12:39:01 PM  
**Last Modified:** Thursday, January 21, 2021 12:41:48 PM  
**Time Spent:** 00:02:47

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Page 1

**Q1**

Please provide feedback for this directive

Offer off-street positions for the 18 month lactation contract. Imagine having to get dressed in full uniform three times a day. No good.

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**Q2**

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

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# #1

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Friday, January 15, 2021 9:18:44 AM  
**Last Modified:** Friday, January 15, 2021 9:18:53 AM  
**Time Spent:** 00:00:08

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Page 1

## Q1

Please provide feedback for this directive

414 test

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## Q2

**Respondent skipped this question**

Contact Information (optional - your name will be visible on PPB's website)

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## #2

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Friday, January 15, 2021 1:07:56 PM  
**Last Modified:** Friday, January 15, 2021 1:08:33 PM  
**Time Spent:** 00:00:36

---

Page 1

### Q1

Please provide feedback for this directive

People who use she/her/hers pronouns are not the only ones who bear children. Remove gendered language and replace with they/them/theirs pronouns.

---

### Q2

**Respondent skipped this question**

Contact Information (optional - your name will be visible on PPB's website)

---

# #3

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Sunday, January 17, 2021 12:14:16 AM  
**Last Modified:** Sunday, January 17, 2021 12:17:32 AM  
**Time Spent:** 00:03:16

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Page 1

## Q1

Please provide feedback for this directive

This policy says that just because you are pregnant, you can still choose to perform your full duties. If this is the case, we need the policy to allow women to skip a qualification cycle due to pregnancy. Loud noises have been known to cause spontaneous abortions, therefore if you are trying to get pregnant or are early on in your pregnancy adventure, **YOU SHOULD NOT SHOOT**. However, many women don't want to come off of patrol just because they are trying to get pregnant or within the first 4 months. Forcing them to qualify makes a woman choose, do I work full duty? Or try to grow my family?

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## Q2

**Respondent skipped this question**

Contact Information (optional - your name will be visible on PPB's website)

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