



**MONTEREY PENINSULA**  
College

**ADMINISTRATIVE PROCEDURES**

**Chapter 7 Human Resources**

**7348**

**AP 7348 Accommodations**

Absent undue hardship or direct threats to the health and safety of employee(s), the District provides employment-related reasonable accommodations to:

- qualified individuals with disabilities, both applicants and employees, to enable them to perform essential job functions;
- employees with conditions related to pregnancy, childbirth, or a related medical condition, if the employee so requests, and with the advice of the employee's health care provider;
- employee victims of domestic violence, sexual assault, or stalking to promote the safety of the employee victim while at work; and
- employees who request reasonable accommodation to address a conflict between religious belief or observance and any employment requirement.

**I. Reasonable Accommodations (Disability)**

A reasonable accommodation is an adjustment or change concerning some aspect of the application process, the job, or a benefit of employment that allows an individual who is qualified for the job to perform the essential functions of that job and enjoy equal employment opportunities.

Any qualified employee or applicant who may require reasonable accommodation should contact Human Resources to begin the interactive process. An employee requesting reasonable accommodation must submit with their request documentation from their physician confirming their disability. Upon receiving the required paperwork from the employee, Human Resources, in collaboration with the employee's current supervisor, will make the determination as to whether the employee qualifies for reasonable accommodation.

If the employee qualifies for reasonable accommodation, Human Resources shall arrange a meeting between the employee, the supervisor, an employee representative, and a Human Resources representative to convene the interactive process.

**II. Lactation Accommodation**

Private lactation rooms and pods are available in the following locations on a first-come, first-served basis:

- Monterey campus - Student Health Services Room 101 (STS)



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- Monterey campus - Library & Technology Center (LTC) - 1st floor
- Marina Education Center - Room 201 (MA)

Employees have the right to request lactation accommodation and should make the request through their supervisor to Human Resources.

An overtime-eligible employee who wishes to express breast milk for their infant child during their scheduled work hours will receive additional unpaid time beyond the 15-minute compensated rest period. Breaks may be reasonably delayed if they would seriously disrupt operations. Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

The District will make reasonable efforts to accommodate employees by providing an appropriate location to express milk in private. The District will attempt to find a location in close proximity to the employee's work area, and the location will be other than a bathroom. The location shall contain a surface to place a breast pump and personal items, a place to sit, and access to electricity or alternative devices, including, but not limited to, extension cords or charging stations needed to operate an electric or battery-powered breast pump. Access to a sink with running water and a refrigerator or other suitable cooling device suitable for storing milk in close proximity to the employee's workspace will also be provided, if possible.

Employees occupying such private areas shall either secure the door or otherwise make it clear to others through signage that the area is occupied and should not be disturbed. All other employees should avoid interrupting an employee during an authorized break under this section, except to announce an emergency or other urgent circumstance.

Employees may file a complaint with the Labor Commissioner for any alleged violation of Labor Code Sections 1030 et seq., which governs lactations accommodations.

Any employee storing expressed milk in any authorized refrigerated area within the work area shall clearly label it as such. No expressed milk shall be stored at the work area beyond the employee's workday.

### **III. Domestic Violence, Sexual Assault or Stalking Accommodation**

The District will also engage in the interactive process and provide reasonable accommodations to employee-victims of domestic violence, sexual assault, or stalking, that would protect the safety of the employee-victim engaged in District employment or District-related business. The goal is to identify safety-related accommodations that do not cause undue hardship and that do not compromise the safety and health of all employees.



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If an individual requests an accommodation for their safety, and it relates to being a victim of domestic violence, sexual assault, or stalking, the District may require the individual to provide a written statement regarding the need for the accommodation, and a certification of their status as a victim of domestic violence, sexual assault, or stalking. In addition, the District may request recertification of the documentation after a certain period of time. If circumstances change and the employee needs a new accommodation, the District will restart the interactive process.

See also Board Policy/Administrative Procedure 3540 - Sexual and Other Assaults on Campus; and Administrative Procedure 5203 - Lactation Accommodation.

**References:** Government Code Sections 12926, 12940, and 12945;  
Labor Code Sections 230 and 1030 et seq.;  
Title 2 Sections 11040 et seq., 11050 et seq., and 11060 et seq.;  
29 U.S. Code Section 207 subdivision (r);  
42 U.S. Code Sections 12101 et seq.;  
42 U.S. Code Sections 2000e et seq.;  
29 Code of Federal Regulations Parts 1605.1 et seq.

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