

## New York City Releases Model Policies for Lactation Room Law

By Richard I. Greenberg and Daniel J. Jacobs

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The New York City Commission on Human Rights (CCHR) has released model policies for the City's lactation room law, effective March 18, 2019.

The CCHR's [dedicated lactation accommodations page](#) contains model policies for:

- 1) [Workplaces with Dedicated Lactation Room\(s\)](#);
- 2) [Workplaces with Multi-Purpose Space](#); and
- 3) [Workplaces with No Available space for a lactation room](#).

Additionally, the CCHR page includes a [Model Lactation Accommodation Request Form](#).

The model policies are extremely detailed and go well beyond a simple reading of the statutory mandate. For example, the model policies memorialize a notice/discussion obligation not expressly set forth in the law, seeking to discuss an employee's potential needs before the employee returns from a "parental leave."

The model policies also include a significant amount of statutory language from the New York City Administrative Code such as citations and verbiage related to an undue hardship analysis. The underlying law tasked the CCHR with creating a model policy and model request form. However, there is no per se requirement for employers to adopt the model policy and form prepared by the CCHR. Nonetheless, such language is a useful guide for policy development.

The City's lactation room law requires employers to have a lactation room that meets statutory standards (absent undue hardship) and promulgate and issue a written lactation policy. For more information on the law, please see our articles, [New York City Employers Must Provide Lactation Rooms, Maintain Written Policy Starting March 18, 2019](#) and [New York City to Require Private Employers to Establish Lactation Rooms and Policies](#).

Please contact a Jackson Lewis attorney with any questions related to policies and other preventive practices.

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