**BREASTFEEDING AND PREGNANCY ACCOMMODATION PROCESS GUIDELINES**

**MEMBERS OF CUPE 3903**

**These guidelines for CUPE 3903 members are in accordance with the York University Accommodation Procedures for Family Status and Breastfeeding –based needs.**

In accordance with the Ontario Human Rights Code (the “Code”) York University recognizes the dignity and worth of every person. The Code is a law that provides for equal rights and opportunities and freedom from discrimination for everyone in Ontario. York is committed to ensuring that all York community members receive equal treatment without discrimination on the basis of the enumerated Code grounds, including family status and sex (which includes pregnancy and breastfeeding).

In Ontario, it is against the law to discriminate against a woman who is pregnant or breastfeeding. York University remains committed to providing a supportive environment for pregnant and breastfeeding students, staff and faculty, ensuring that accommodations are provided when required.

Examples of potential/possible breastfeeding accommodations may include:

* Providing flexibility for employees to take lactation breaks during their workday
* In exceptional circumstances, allowing quiet infants and young children into lecture theatres and seminar rooms.
* Allowing a care-giver to bring the baby into the workplace to be breastfed
* Provide appropriate storage facilities for breast milk and for the storage of breast milk expression equipment (pump).

Persons Requesting a Breastfeeding Accommodation should:

* Take the initiative to request accommodation
* Explain why accommodation is required
* Provide notice of request in writing, and allow a reasonable time for reply
* Explain what measures of accommodation are required
* Deal in good faith
* Be flexible and realistic
* The individual may request details of the cost of accommodation if undue hardship may be a factor

Person/Organization Responsible should:

* Respect the dignity of the person seeking accommodation
* Assess the need for accommodation based on the needs of the group of which the person is a member
* Reply to the request within a reasonable time
* Grant requests related to the accommodation of family status and breastfeeding
* Deal in good faith
* Consider alternatives
* If accommodation is not possible because of undue hardship, explain this clearly to the person concerned and be prepared to demonstrate why

- with credit to the CHR Website

With the foregoing as context, members of CUPE 3903 who have breastfeeding or pregnancy accommodation needs should direct their request to the Chair of their Hiring Unit in writing. The Chair will advise the member of her right to union representation, if there is no union representative involved in the member’s request. The Chair will also take care to provide a copy of the accommodation request to the Department of Faculty Relations to the attention of Rob Lawson, Associate Director.

Upon receipt of the accommodation request, the Department of Faculty Relations will convene a meeting to discuss the accommodation required. The parties invited to the meeting will be the employee, her union representative (if requested), the Chair (or UPD if appropriate), and the Associate Director, Faculty Relations. All reasonable accommodation options will be explored and evaluated to the point of undue hardship.

Where the accommodation request is being made by a full-time graduate student member of CUPE 3903 Unit 1 or 3, in addition to the fore-noted, the Associate Dean FGS charged with oversight of CUPE 3903 matters (or designate) will also be included in the meeting

Through the Department of Faculty Relation, the Employer will provide a response with a proposed accommodation within 14 calendar days of the fore-noted meeting.

Where the request for a pregnancy or breastfeeding accommodation is of an immediate nature (E.g, urgent need to bring an infant into the workplace), the Chair of the Hiring Unit and the Associate Director of Faculty Relations will provide an expedited resolution to the request.