



Legislation Text

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Int. No. 1469

By Council Members Cumbo, Salamanca and Cornegy

A Local Law to amend the administrative code of the city of New York, in relation to requiring that city-owned buildings and spaces with specific occupancy classifications contain lactation rooms

Be it enacted by the Council as follows:

Section 1. Section 17-199.1 of the administrative code of the city of New York, as added by local law number 94 for the year 2016, is amended to read as follows:

§ 17-199.1 Lactation rooms. a. Definitions. For the purposes of this section, “lactation room” means a sanitary place that is not a restroom that can be used to breastfeed or express milk in private, and which includes an electrical outlet, a chair, and nearby access to running water.

b. Every job center, SNAP center, or medical assistance program center of the department of social services/human resources administration; city-owned borough office of the administration for children’s services and the Nicholas Scoppetta children’s center; and health center operated or maintained by the department shall, where practicable, make at least one lactation room available upon request to an individual utilizing on-site services. The presence of such a lactation room shall not abrogate such an individual’s right to breastfeed in public pursuant to article 7 of the civil rights law.

c. The owner of a space that is classified as occupancy group A pursuant to section 303.1 of the New York city building code, or the equivalent occupancy classification under chapter 1 of title 27 of the administrative code, shall:

1. Make available at least one lactation room in such space or within walking distance of the main entrance of such space for use by individuals who are authorized to be in such space; and

2. Not be subject to this subdivision if substantial physical alterations to such a space as determined by the commissioner are required to achieve compliance.

d. Each newly constructed city-owned building shall make available at least one lactation room in such building or within walking distance of the main entrance of such building for use by individuals who are authorized to be in such building.

e. Any renovations to city-owned buildings within any 12-month period such that the cost of renovations is between 30 percent and 60 percent of the value of the building on or after July 1, 2017, shall make available at least one lactation room in such building or within walking distance of the main entrance of such building for use by individuals who are authorized to be in such building.

[c] f. The department shall create a poster containing information on breast-feeding, an individual's right to nurse in public, and the availability of lactation rooms pursuant to this section. Such poster shall be made available on the department's website, shall be displayed in any lactation room required to be made available pursuant to this section, and shall be displayed in a clear and conspicuous manner in the waiting room of any public space where a lactation room is required to be made available pursuant to this section. No later than one year after the effective date of the local law adding this subdivision, the department shall create a list of all locations with lactation rooms available pursuant to this section. Such list shall be made available on the department's website.

[d] g. The department of education shall submit to the speaker of the city council on or before August 1, 2017, and on or before every August 1 thereafter, a report summarizing the policies at New York city public schools to allow a student or the parent or guardian of a student access to a lactation room upon request. Such report shall indicate how information regarding such policies was communicated to students, parents and guardians during the previous school year.

[e] h. The department may promulgate rules to implement the provisions of this section including, but

not limited to, establishing training programs for staff working at locations required to make a lactation room available pursuant to [subdivision b]this section, and providing guidelines concerning the location of a lactation room.

§ 2. This local law takes effect July 1, 2017.

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