



City of Chicago



O2018-4114

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 5/25/2018

Sponsor(s): Burke (14)
Harris (8)

Type: Ordinance

Title: Amendment of Municipal Code Section 2-51-050 to designate room at each municipal building for members of public to use as nursing room

Committee(s) Assignment: Committee on Budget and Government Operations

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit of government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

WHEREAS, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, in April of 2018, Judith Miller, an attorney and a nursing mother, was summoned to jury duty at the downtown Daley Center courthouse; and

WHEREAS, before her arrival she conducted ample research to ensure that a nursing room would be available for use during her jury duty and a webpage confirmed that a nursing room was available; and

WHEREAS, upon her arrival the clerk advised her that no one on staff knew where the nursing room was located and instead was directed to use the men's bathroom because it was the only private room with an electrical outlet which she needed to operate her breast pump; and

WHEREAS, as a nursing mother, Mrs. Miller must express breast milk every couple of hours because failing to do so lowers her milk supply and may cause physical discomfort and pain making it more difficult to feed her child in the future; and

WHEREAS, as an attorney and a citizen, Mrs. Miller felt it was an honor to serve as a juror but was forced to leave early when she was unable to express her breast milk; and

WHEREAS, Illinois has passed a number of comprehensive measures to encourage breastfeeding and to support working mothers; and

WHEREAS, the Nursing Mothers In the Workplace Act requires employers with more than five (5) employees to provide unpaid breaks for nursing mothers and to make available a private place other than a bathroom, where she can express her milk in private; and

WHEREAS, additionally, the Lactation Accommodation in Airports Act requires lactation rooms to be located outside the confines of a bathroom and that it have, at minimum, a chair and an electrical outlet; and

WHEREAS, the City of Chicago went even further adopting its own Lactation Accommodation in Airports ordinance that requires the room also have a lockable door, a table, and a sink with running water in addition to the State's requirements; and

WHEREAS, Illinois introduced SB 3503 on February 16, 2018 requiring every facility that houses a circuit court room to have at least one lactation room that is outside the confines of a restroom and includes, at minimum, a chair, a table, an electrical outlet and a sink with running water where possible; the bill is still pending; and

WHEREAS, other municipalities like New York City and Puerto Rico have expanded the availability of lactation rooms to an array of public buildings; and

WHEREAS, ensuring the availability of proper resources for Chicago's nursing mothers is a means of prioritizing the health and well-being of its youngest residents; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 2-51-050 of the Municipal Code of Chicago is hereby amended by inserting the underscored language as follows:

2-51-050 Commissioner of fleet and facility management – Powers and duties

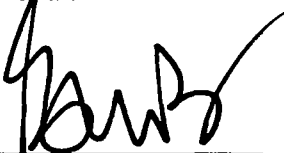
(Omitted language not affected by this ordinance)

ll. To establish and administer a City-wide Environmental Health and Safety Compliance Program (the "Program") for all City employees except sworn members of the Police and Fire Departments. All included employees and their department heads shall cooperate with the Commissioner in implementing and participating in the Program. The Program's objectives are to: (i) reduce hazards and risks for employees and the public with whom they interface, (ii) ensure compliance with OSHA and EPA reporting requirements, (iii) create efficiencies in implementing the Program across City departments with standardized programs and training, (iv) improve employee productivity and morale, (v) establish a documented risk management program, (vi) improve, accelerate and expand incident reporting, and (vii) reduce the number of incidents that result in employee lost time;

mm. To provide and designate a room or other location at each municipal building that has areas available or accessible for public use for members of the public to express breast milk in private. Each room or other location shall be located outside of the confines of a public restroom and shall include, at a minimum: a lockable door, a chair, a table, an electrical outlet, and a sink with running water, where possible.

~~mm.~~ nn. To do any and all other acts which may be necessary for the implementation of other powers conferred on the commissioner and the department under this chapter.

SECTION 2. This ordinance shall be in full force and effect 12 months after its passage and approval.



Edward M. Burke
Alderman, 14th Ward

W. J. Kelly, A. Harris 8th