File #: 130922, **Version:** 1

Amending Title 9 of The Philadelphia Code, entitled, "Regulation Of Businesses, Trades And Professions," to clarify that it is discrimination based on sex and therefore an unlawful business practice for any employer to fail to accommodate an individual's reasonable need to express breast milk; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 9 of The Philadelphia Code is hereby amended to read as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS.

* * *

CHAPTER 9-1100. FAIR PRACTICES ORDINANCE: PROTECTIONS AGAINST UNLAWFUL DISCRIMINATION

* * *

§ 9-1103. Unlawful Employment Practices.

(1) It shall be an unlawful employment practice to deny or interfere with the employment opportunities of an individual based upon his or her race, ethnicity, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, age, disability, marital status, familial status, genetic information, or domestic or sexual violence victim status, including, but not limited to, the following:

* * *

(m) For any employer to fail to reasonably accommodate an individual's need to express breast milk.

(i) Reasonable accommodations include providing unpaid break time or allowing an employee to use paid break, mealtime, or both, to express milk and providing a private, sanitary space that is not a bathroom where an employee can express breast milk, so long as these requirements do not impose an undue hardship (as defined in § 9-1128(2)) on an employer.

* * *

SECTION 2. This Ordinance shall take effect immediately.

Explanation:

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[Brackets] indicate matter deleted.
Italics indicate matter added.

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