



## Family-Friendly Workplace Certification Program Guide Presented by County of Santa Clara: Office of Women’s Policy and Public Health Department

### What is a Family-Friendly Workplace?

Family-Friendly policies are good for employees and employers. They help employees balance work and family life, while also increasing retention, and recruitment for employers.<sup>1</sup> Overall, family friendly workplace policies have positive outcomes on the organizations and can lead to more job satisfaction and greater work productivity.

### What is the Family-Friendly Workplace Certification Program (FFWCP) of Santa Clara County?

1. The Family-Friendly Workplace Certification Program recognizes employers that have implemented family-friendly policies to address the realities of working families.
2. This certification program is open to employers of any size that are physically located within Santa Clara County and is valid for two years.
3. The Family-Friendly Certification Program specifically focuses on three categories:
  - a. Pregnancy and Parental Leave and Accommodations

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<sup>1</sup> [Business and Family-friendly Policies- An evidence brief](#). UNICEF. (2019).

- b. Lactation Accommodations
  - c. Work-Family Balance
4. Each of the three categories have specific policy benchmarks, that are further classified as certification levels. The four different levels are- Bronze (meets basic legal requirements in California each category); Silver, Gold and Platinum. Policy requirements for each of these four levels have been further described in [Appendix 1](#).

### What are the benefits of being a certified Family-Friendly Workplace?

Adopting family-friendly policies have innumerable benefits for not just employees but also employers. Some of the noteworthy implications are as follows:

1. A Santa Clara County certified family-friendly workplace will receive visibility within the county as an organization that values and supports families and employees. Organizations will be featured on the county website and will receive a certification seal, that can be further used in the organizations' promotional material.
2. Employees will experience greater job satisfaction, productivity, and resilience, that will go on to increase employee retention.
3. Family friendly policies will increase the number of women who enter and stay in the workforce.
4. Organizations will benefit from increased output, and employee performance.
5. Increased economic empowerment, stability, and growth for both women and society.

### How to become a certified Family-Friendly Workplace in Santa Clara County?

Organizations that implement policies and practices in the three categories mentioned above can apply for the certification, using an online application form. The steps for receiving a certification in one of the four levels are listed below:

1. Attend a live virtual training (90 minutes). This training will provide information on existing laws and requirements, practical tips on meeting the standards, and share resources. Assistance in completing the application will also be offered. To sign up for the training go [here](#).
2. Complete and submit [online application](#).
3. Receive notification within 30 working days of submission of whether your organization received certification and the level.
4. Review, and re-apply in two years.

# Appendix: 1

## Policy Category: Pregnancy and Parenting Leave and Accommodations

### Bronze



**All criteria must be met by employers to receive bronze certification level:**

- Reasonable accommodations for pregnancy, such as allowing pregnant workers to sit on a stool or transferring to a less hazardous position, if available.
- Up to 4 months of job-protected unpaid leave, with continued benefits, to employees who are disabled by a pregnancy or childbirth-related condition.
- Additionally, for employers with 5 or more employees the following is required:
- Twelve-weeks of job-protected unpaid leave, with continued benefits, for parents to bond with a new child (Employee will be eligible if worked for one year and at least 25 hours per week during that year).

### Silver



**All bronze and two of the below mentioned criteria must be met by employers to receive silver certification level:**

- Six or more weeks of additional unpaid leave, beyond what is legally required, with continued benefits, for parents to bond with a new child.
- Employer-provided pay during pregnancy disability leave, for up to 2 weeks. (Pay would equal the difference between State Disability Insurance-SDI and full pay).
- Employer-provided pay during bonding leave, for up to 2 weeks, after Paid Family Leave (PFL) ends.

### Gold



**All bronze, silver, and all the below mentioned criteria must be met by employers to receive gold level certification:**

- Twelve or more weeks of additional unpaid leave, beyond what is legally required, with continued benefits, for parents to bond with a new child.
- Employer-provided pay during pregnancy disability leave, for more than 2 weeks. (Pay would equal the difference between State Disability Insurance-SDI and full pay).
- Employer-provided pay during bonding leave, for **more than 2 weeks, after** Paid Family Leave (PFL) ends.

## Platinum



*Employers must have the following policy in place to receive platinum level certification:*

- Train managers so they understand the impact of gender bias against pregnant women and parents on managers' decision-making and provide clear and consistent criteria for promotions and staffing decisions.

## Policy Category: Lactation accommodations<sup>2</sup>

## Bronze



*All criteria must be met by employers to receive bronze certification level:*

- Verbal agreement between employer and lactating employee regarding break time and workspace to pump.
- Reasonable unpaid break time for lactating employees to pump milk.
- A private, non-bathroom space with electrical outlet or alternate devices, near the employee's workspace here she can pump milk.
- Employer-provided storage options for breast milk. If a refrigerator cannot be provided, an employer may provide another cooling device suitable for storing milk, such as an employer-provided cooler.

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<sup>2</sup> [Lactation Accommodation Policy Template](#)

## Silver



**All bronze and all the following criteria must be met by employers to receive silver level certification:**

- A lactation space with a locking door.
- A sink with running water in proximity to the lactation space.
- Paper towels and/or cleaning wipes.
- A written lactation policy that is translated, if necessary, posted and distributed to employees.
- Allowing mothers to directly breastfeed infant at work (for example, if infant is brought to workplace by a partner).
- Education about policies provided to all employees.

## Gold



**All bronze, silver, and all the below mentioned criteria must be met by employers to receive gold level certification:**

- Comfortable seating and a table or countertop.
- Reasonable paid break time for lactating employees to pump milk.
- Additional comforts in the lactation space, including at least 2 of the following: footstool, mirror, procedure to reserve room, easily accessible power outlet, telephone service, and/or network connection.

## Policy Category: Work-Family Balance

### Bronze



**All criteria must be met by employers to receive bronze certification level:**

- Employees may use sick leave to care for ill family members.
- Employees may take up to 40 hours of unpaid time off per year to participate in their child's school or childcare facility's activities.

- Employers have a policy of no retaliation for requesting reasonable accommodations, flextime or leave, and/or complaints about discrimination or wage and hour violations.
- Employer has no unpaid wage theft judgments or final administrative decisions in the last 5 years.
- Employer provides at least 3 paid sick days per year.
- For private employers in the City of San Jose with more than 35 employees:
  - Employer offers full-time work to qualified part-time employees before hiring new employees.

### Silver



**All bronze and two of the below mentioned criteria must be met by employers to receive silver certification level:**

- Workplace flexibility/predictability (not subject to business reason) including at least 1 of the following: intermittent use of bonding leave, flextime or place, shift flexibility, part-time option, telecommute program, job sharing, compressed work week, phased-in workforce exits or re-entry or sabbaticals, predictable schedules with advanced notice/regular hours.
- Employees with caregiving responsibility may request and be granted flexible or predictable schedules, subject to business needs.

### Gold



**All bronze, silver and two of the below mentioned criteria must be met by employers to receive gold level certification:**

- Employees shall receive up to 12 days per year in addition to FMLA which may be used for employee's own sickness or to care for an ill family member.
- On-site childcare program or subsidy.
- Other exceptional or innovative program to promote work-family balance, bonding, or caregiving.

## Platinum



*Employers must have the following policy in place to receive platinum level certification:*

- Analyze compensation by gender and address pay gaps. Conduct a gender-based analysis to ascertain the number of women in each job category.