

LACTATION ACCOMMODATION COMPLIANCE

PROGRAM EVALUATION AND AUDIT



METROPOLITAN
C O U N C I L

Contents

Highlights.....	3
Summary of Findings.....	4
Introduction.....	8
Background.....	8
Objectives	9
Scope.....	9
Methodology	9
Limitations.....	10
Equity.....	10
Recognition	10
Observations	11
Conclusions.....	31
Appendix A.....	33
Appendix B	33

What We Found

What's Working Well

The Employee Resource Center (ERC) and Benefits staff are properly notifying employees when they begin employment and when they are approved for Paid Parental Leave. Additionally, the Lactation Support Team (LST) consistently responds to and resolves employee questions and complaints sent to the Lactating Parent Support email.

What Needs Improvement

Bathrooms and locker rooms are used for some lactation spaces, which is prohibited by state and federal law. Some lactation spaces were not clean or were missing required equipment. Additionally, lactation spaces are difficult to access. The current Lactation Room Guide lists five incorrect locations for lactation spaces. Cleaning staff were blocked from lactation spaces due to lack of badge access.

What We Recommend

The LST should ensure that all lactation rooms are in locations that are clean, private, secure, and not in a bathroom or locker room. The LST should also ensure that the Lactation Room Guide is accurate and up-to-date. The LST should coordinate with divisions to create a process for granting access to lactation spaces for authorized users, including lactating employees and visitors, and cleaning and maintenance staff.

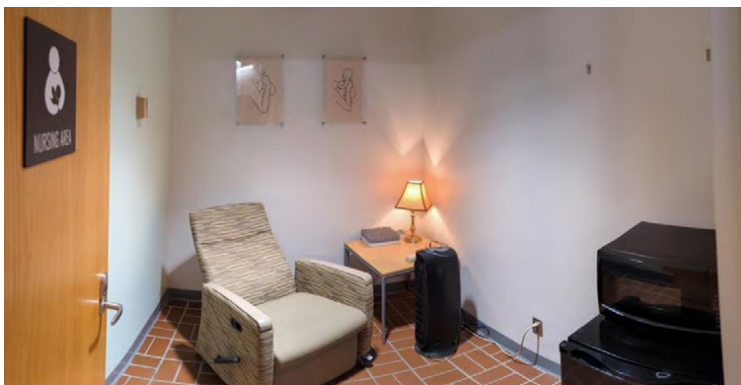


Photo Caption: A lactation room at the Met Council.

Why We Did This Work

Audit reviewed lactation spaces as a follow-up to the IT Facility Security Audit, where unauthorized supplies were found stored in lactation spaces. This discovery indicated a risk of misuse of lactation rooms at the Met Council. The Met Council is legally required to provide lactation spaces that are clean, private, and secure. The Met Council is also designated as a Breastfeeding Friendly Workplace by the Minnesota Department of Health.

What We Reviewed

Audit reviewed 26 lactation rooms at the Met Council. For the six lactation rooms with badge readers, Audit reviewed badge access data between January 1st and June 30th, 2026. Audit reviewed records for lactation rights notifications for employees hired as well as for current employees who inquired about parental leave between January 2025 and June 2026. Audit also reviewed all complaints regarding lactation spaces as of June 2026.

How We Did This Work

Audit performed onsite reviews to evaluate cleanliness, privacy, and security of the rooms, as well as equipment available. Audit reviewed employee notifications of lactation rights, badge access data, and conducted interviews with Occupational Health, Human Resources, Facilities Management, Benefits, Employee Resource Groups, and other departments throughout the audit.

Summary of Findings

Number	Description	Recommendation	Follow-up Action	Page
Observation 1	Employees Denied FMLA Not Notified of Lactation Rights	The Senior HR Manager - Occupational Health should notify all employees who request any type of parental leave for reasons related to becoming a parent (such as Paid Parental Leave, FMLA, and Minnesota Paid Leave) of their lactation rights, regardless of approval status.	<i>Retest</i>	14
Observation 2	The Lactation Room Guide Contains Inaccurate Information	The Senior HR Manager - Occupational Health should work with the Lactation Support Team, Metro Transit Support Facilities Maintenance Manager, and the Environmental Services Facilities and Fleet Manager to create and routinely execute a process to verify that location and amenities information is accurate and up to date on the Lactation Room Guide.	<i>Confirmation</i>	15
Observation 3	The Lactation Guide Directs Users to Locker Rooms and a Bathroom	The Senior HR Manager - Occupational Health should work with the Lactation Support Team to create and routinely execute a process to verify that all lactation spaces are compliant with state and federal law as well as Met Council policy.	<i>Confirmation</i>	18
		The Senior HR Manager - Occupational Health and the Lactation Support Team should work with each	<i>Confirmation</i>	18

		Environmental Services and Metro Transit site identified in this finding to create a contingency plan to meet future demand for lactation spaces.		
Observation 4	Lactation Rooms Consistently Lacked Required Amenities	The Senior HR Manager - Occupational Health should work with the Lactation Support Team to ensure each lactation room has the equipment required by federal and state law as well as Met Council policies and procedures and then work with the facilities staff to periodically monitor the lactation spaces.	<i>Retest</i>	21
		The Senior HR Manager - Occupational Health should work with the Lactation Support Team to update the Lactation Support Procedure (HR 1-1a) to accurately describe the minimum attributes present in each lactation room.	<i>Confirmation</i>	21
Observation 5	Lactation Room Cleanliness Needs Improvement	The Metro Transit Support Facilities Maintenance Manager should create a process to ensure that all cleaning staff have adequate badge permissions to enter lactation rooms.	<i>Confirmation</i>	24
		The Environmental Services Facilities and Fleet Manager and the Metro Transit Support Facilities Maintenance Manager should each work with the Lactation Support Team to create, execute, and distribute a plan to ensure that lactation rooms are periodically cleaned in accordance	<i>Confirmation</i>	24

		with state law, Met Council contracts, and employee work requirements.		
Observation 6	Access Controls Not Adequate to Ensure Lactation Rooms are Clean, Private, and Secure	The Senior HR Manager - Occupational Health and the Lactation Support Team should coordinate with Metro Transit and Environmental Services to ensure that all lactation spaces have badge readers.	<i>Retest</i>	29
		The Senior HR Manager - Occupational Health and the Lactation Support Team should coordinate with Metro Transit, Environmental Services, and Regional Administration to create and implement a process to grant access to authorized users, such as lactating employees and janitorial/cleaning staff within one business day of the request,	<i>Confirmation</i>	29
		The Senior HR Manager - Occupational Health should work with the Lactation Support Team to periodically review badge reader data to ensure that all individuals who have a business need can access lactation rooms.	<i>Retest</i>	29
		The Senior HR Manager - Occupational Health - should partner with the Lactation Support Team to work with leadership at Metro Transit, Environmental Services, and Regional Administration to address repeated attempts to access lactation rooms by unauthorized individuals.	<i>Confirmation</i>	29

		The Senior HR Manager - Occupational Health should work with the Lactation Support Team to place a permanent resource in each lactation room that directs users to report concerns about harassment related to lactating at work to the EthicsPoint portal.	<i>Retest</i>	29
--	--	---	---------------	----

Introduction

Background

The federal government expanded protections for lactating employees in 2021 through the passage of 29 USC §218d (commonly known as the “PUMP Act”). Employers are required to provide a clean, private, and secure location that is not a bathroom. Employers are also required to provide break time for employees to express breast milk during work. The State of Minnesota provides additional protections to lactating employees under Minnesota Statutes, section 181.939. Employers must make reasonable efforts to provide a clean, secure, private, and close location with access to an electrical outlet. State law prohibits employers from reducing compensation for pumping breaks. Employers cannot discriminate against employees for asserting their rights and must inform employees of their rights when starting employment as well as when requesting or inquiring about parental leave.

The Met Council responded to these changes in federal and state law by creating the Lactation Support Procedure (HR 1-1a) in 2023. The Lactation Support Procedure outlines how the Met Council fulfills and exceeds statutory requirements, such as requiring that lactation rooms be located near a sink with running water. The procedure adds that rooms used only for lactation purposes must include amenities such as a fridge for milk storage. The Met Council must also ensure doors entering dedicated lactation rooms have a lock and a sign to indicate use.

When an employee seeks a lactation room, the employee’s managers and supervisors are primarily responsible for ensuring that a lactation room is available and operational. They also must coordinate time for the employee to lactate. Employees can also connect with the cross-divisional Lactation Support Team (LST) to request assistance or report issues with lactation rooms. Facilities and maintenance staff are responsible for ensuring that lactation rooms are cleaned, coordinate badge access to lactation rooms when applicable, adapt building space to create lactation rooms, and assist with planning future building projects to accommodate lactation spaces.

Table One: Buildings with Lactation Rooms by Met Council Division¹

Division	Count of Rooms
Metro Transit	18
Environmental Services	11
Central Offices	1

¹ According to the Metropolitan Council’s Lactation Room Guide, updated in October 2025. “Central Offices” refers to facilities used by Regional Administration, Community Development, and Metropolitan Transit Services.

Human Resources staff ensure that new Met Council employees receive notice of lactation rights in their new hire paperwork. As of January 2026, the Employee Resource Center provides information on lactation rights to employees inquiring about or requesting parental leave.

The LST provides resources and support to managers, facilities staff, and lactating employees. The LST also published a “Lactation Room Guide” detailing which Met Council locations have rooms assigned as lactation spaces (see Table One). In addition to meeting minimum requirements set by federal and state law, the Met Council was certified by the Minnesota Department of Health as a Breastfeeding Friendly Workplace in 2023.

Objectives

The objectives of this audit were to:

1. Determine if the Met Council makes reasonable efforts to provide lactation rooms that are clean, private, and secure to employees.
2. Ensure that processes to inform lactating employees of their rights and request accommodation are followed.

Scope

Audit reviewed all existing lactation rooms across Met Council divisions as of June 2026. Audit reviewed complaints regarding Met Council lactation spaces as of June 2026. Audit reviewed badge access attempts at lactation spaces from January 2026 through June 2026. Audit reviewed Women’s Economic Security Act (WESA) and New Parent Packet notifications between January 2025 and June 2026.

Methodology

Audit performed onsite reviews of 26 lactation spaces across Met Council divisions from June 15th to 17th, 2026. Audit reviewed each space for cleanliness, privacy, security, furnishings, and whether the room was used for prohibited purposes.

To review privacy and security controls as well as evaluate cleaning frequency, Audit obtained badge access data from January 1st to June 30th, 2026, for the six lactation spaces with badge readers. Audit also reviewed badge access data to determine frequency that employees were denied and granted access as well as to verify that those employees who were granted access were authorized to enter. Audit did this by cross-referencing the badge data with records of 201 employees who applied for Paid Parental Leave and 203 employees who applied for leave under the Family Medical Leave Act (FMLA) due to becoming a new parent between September 2024 and June 2026.

Audit accessed the Lactation Support Team email account to review a sample of complaints and issues sent to the Lactating Parent Support email. Audit reviewed the complaints for common themes and measured the length of time elapsed between when the complaint or issue was submitted and when it was addressed by the LST.

Audit verified that new employees were notified of their Women’s Economic Security Act (WESA) rights when they began employment. Audit also reviewed if employees who inquired about parental

leave were sent the Met Council New Parent Packet, which contains information about lactation rights, lactation rooms, and proper use of rooms. Audit requested records of all Paid Parental Leave (PPL) inquiries and requests from the Benefits Department in 2025. In addition, Audit requested all FMLA inquiries and requests from the ERC between January 2025 and June 2026.

Limitations

Audit could not obtain a full population of lactating employees at the Met Council. Instead, Audit relied on data of employees who had applied for PPL or FMLA for reasons related to becoming a new parent between 2024 and 2026.

Audit could not independently review WESA notification data as well as New Parent Packet delivery to employees who had requested PPL and FMLA. Audit relied on over-the-shoulder reviews in both cases.

Audit could not observe lactation spaces for four facilities. Audit could not observe the Green Line Operations and Maintenance Facility lactation space as it was in use during two separate 45-minute visits to the facility. Audit could not observe the Blue Line Rail Support Facility or Eagles Point Plant lactation space as they were both under construction. Lastly, Audit could not observe the Minneapolis Transit Store because this facility no longer had a designated lactation room as of June 2026.

Equity

This audit incorporated the Imagine 2050 Regional Values of Equity and Accountability. The *Accountability* principle was assessed by verifying lactation room compliance with federal and state law, as well as Met Council policy and procedure. This audit also considered the *Equity* outcome by verifying that all lactating employees can access private, secure, and hygienic lactation rooms regardless of division or job type.

Recognition

Audit thanks the Lactation Support Team, Facilities Maintenance in Metro Transit (MT), Facilities Maintenance in Environmental Services (ES), Real Estate in Regional Administration (RA), Human Resources, and Occupational Health for their support and consideration throughout this audit.

Non-Finding Observations

Non-Finding Observation One: The Lactation Support Team is Partially Volunteer Based

The Lactation Support Team (LST) is a group of Met Council staff led by the Deputy Chief Human Resources Officer and the Senior Manager of Occupational Health. The LST was created by the Lactation Support Procedure to “streamline lactation-related efforts across all divisions” and to “facilitate” a supportive environment for lactating employees. While all LST members complete LST-related duties on paid work time, only the Deputy Chief Human Resources Officer and the Senior Manager of Occupational Health have duties to the LST in their job descriptions. The rest of the LST is made up of employees who have a personal or professional interest in lactation advocacy.² Employees in any division or business unit may elect to join the LST on a volunteer basis and the LST seeks to have representation from across the Met Council.

The LST is sponsored by Human Resources and meets every other month. The Lactation Support Procedure lists the following as the group’s roles and responsibilities:

- Help coordinate efforts to become a designated [Minnesota Department of Health] Breastfeeding Friendly Workplace.
- Be an advocate, resource, and point of contact for employees, managers and supervisors, facilities staff, and administration for lactation needs.
- Collaborate and streamline lactation-related efforts across all divisions.
- Work toward equitable access to lactation spaces and the ability to continue expressing milk at work for all employees – regardless of division, work unit, work site, or type of position.
- Consult with lactating employees to identify their satisfaction with resources and identify barriers.
- Review this [Lactation Support Procedure] and other supporting materials on an annual basis.

The LST is the primary entity responsible at the Met Council for compliance with federal and state laws around lactation in the workplace. However, the LST does not have a formal governance structure or charter defining its membership, roles or responsibilities. Operationally, auditors observed that the LST’s tasks include coordinating lactation space maintenance and furnishings; fielding complaints and recommendations on lactation spaces; and communicating with lactating employees. The LST also coordinates “ambassadors” at various Met Council sites who advise employees and managers on their lactation rights and elevate concerns to the LST.

The lack of a formal governance structure for the LST along with its partially volunteer-based membership increases risk related to lactation room compliance. Informal governance can cause ineffective handling of issues related to lactation room compliance with federal law and state statute across the Met Council. Without lactation facility oversight being in all LST members’ formal job duties

² Membership of the LST is not formally defined. The LST does not have a team charter or any required number of participants. Audit consistently worked with three members of the LST, but there are several individuals that informally volunteer as site ambassadors.

or a governance structure for the LST, the Met Council places itself at higher risk for non-compliance and litigation due to inadequate lactation accommodations.

Non-Finding Observation Two: Lactation Spaces Are Missing Amenities

During onsite visits at 26 lactation rooms across the Met Council, Audit initially reviewed if each space had access to running water, a refrigerator, and electrical outlets. In the process of this testing, Audit found that other amenities were frequently missing. Audit reviewed photographs taken during site visits for 20 of the 26 sites to check for missing equipment that is required by the Lactation Support Procedure. The six sites without photographs were not photographed either because the room could not be accessed or because the room did not actually exist on site. Among the 20 lactation spaces reviewed, emergency breast pumps, disposable pads, power strips, and fans were the most frequently missing amenities (Table Two).

Table Two: Missing Amenities by Total Count Across Lactation Rooms Visited by Audit

Amenity	Total Missing
Sound Machine	16
Disposable Breast Pads	16
Power Strip	16
Emergency Hand Pump	15
Fan	14
Lamp	13
Locker	13
Drying Rack	13
Artwork	11
Microwave	10
Corkboard	9
Full-length Mirror	8
Soap	7
Trash Bin	6
Mini fridge	5
Side Table	3
Chair	3

Note: These totals are from photo reviews of site visits. Each total reflects the number of facilities which did not have the amenity out of a total of 20.

The Lactation Support Procedure states that a lactation space's amenities include "a chair, side table, full-length mirror, lamp, sound machine, locker, corkboard, artwork, soap, mini-fridge, microwave, trash bin, drying rack, disposable breast pads, power strip, emergency hand pump, and fan." As of April 2026, Human Resources and the Office of General Counsel were in the process of reviewing the amenities list in the Lactation Support Procedure. One of the recommendations of this report is for the Lactation Support Team to update the Lactation Support Procedure to accurately describe the minimum attributes required for lactation rooms.

Inaccurate or unclear location information in the Lactation Room Guide may lead to confusion about what is available to use in lactation rooms. For example, in October 2025, a lactation room user emailed the LST to ask why a lactation room did not have a refrigerator or sink in the room. A member of the LST replied that these attributes were not legally required to be in the rooms, but rather were something the Met Council sometimes offered "above and beyond" legal requirements.

Observations

Observation 1: Employees Denied FMLA Not Notified of Lactation Rights

Audit could not locate evidence for three out of a sample of 40 employees who applied for leave under FMLA for reasons related to becoming a parent that they were notified of their lactation rights.

Minnesota Statutes, section 181.939 states “An employer shall inform employees of their rights under this section at the time of hire and when an employee makes an inquiry about or requests parental leave.” Minnesota Statutes, section 181.939 does not specify what type of parental leave inquiry or request requires notification of lactation rights.

These three employees were not notified of their lactation rights as new parents because they did not apply for Paid Parental Leave. When the employees applied for FMLA, they were denied. The most common reason for FMLA denial at the Met Council is that employees have not worked enough paid hours at the Met Council to qualify. These three applicants applied for FMLA in 2025. The Benefits team handled FMLA requests until January 2026, after which the Employee Resource Center took responsibility. Benefits staff stated that they only shared the New Parent Packet, which contains information about lactation spaces at the Met Council, with individuals who applied for Paid Parental Leave.

An employee that was denied parental leave (such as PPL and FMLA) may still have a need to access a lactation room. For example, one of these three individuals denied FMLA successfully entered lactation rooms at the Met Council. If the Met Council does not notify these individuals of their rights to use lactation rooms, employees may use unauthorized, unsanitary locations to pump, or choose not to pump at work at all.

The Met Council not notifying all employees who apply for parental leave, regardless of approval status, risks noncompliance with Minnesota Statutes, section 181.939. Injured employees may seek damages under Minnesota Statutes, section 181.944, posing a financial risk to the Met Council.

Recommendation:

1. The Senior HR Manager - Occupational Health - should notify all employees who request any type of parental leave for reasons related to becoming a parent (such as Paid Parental Leave, FMLA, and Minnesota Paid Leave) of their lactation rights, regardless of approval status.

Management Response: Agree. Effective October 1, the Employee Resource Center (ERC) will provide the New Parent Packet to any employee who requests leave for reasons related to becoming a parent, to the extent that reason has been identified.

Timetable: This change was implemented on October 1, 2026.

Staff Responsible: Oversight of the implementation of this recommendation will be conducted by the Senior HR Manager – Occupational Health.

Audit Follow-Up: Retest

Observation 2: The Lactation Room Guide Contains Inaccurate Information

During onsite reviews of lactation rooms, auditors identified five discrepancies between locations listed in the Met Council's Lactation Room Guide and the actual location of the lactation space. Four lactation rooms were in a different location than what was listed in the guide. An additional lactation room was listed in the guide, but staff at the location stated the room had not been available for at least three years. This lactation room was in a facility wing that had been closed off (Appendix A, Image A) and was demolished (Appendix A, Image B) due to concerns about black mold. Of the five location discrepancies, four belong to Environmental Services and one belongs to Metro Transit.

The Lactation Support Procedure states that the LST is responsible for "review[ing] this [Lactation Support Procedure] and other supporting materials on an annual basis." The Lactation Room Guide is supporting material to the Lactation Support Procedure.

The LST rely on onsite staff at each facility to self-report on the location and conditions of their lactation rooms. However, the LST does not independently verify that each location listed in the Lactation Room Guide is compliant, accurate, and up to date.

Inaccurate or unclear location information in the Lactation Room Guide may lead to confusion about where a lactating employee should go to pump. In addition, because the Lactation Room Guide is a document used across the Met Council, inaccuracies can create confusion among Facilities and Maintenance, Occupational Health, Human Resources, and other shared services staff about the location and condition of lactation spaces. As a result, lactation spaces may not maintain a consistent cleaning and maintenance schedule, presenting health and safety risks to lactating employees.

Finally, the Met Council maintains a certification as a Breastfeeding Friendly Workplace by the Minnesota Department of Health, a designation displayed prominently at the entrance of Met Council-owned facilities (Appendix A, Image C). Providing inaccurate information on compliant lactation spaces creates a reputational risk to the Met Council among employees, contractors, and members of the public.

Recommendation:

1. The Senior HR Manager - Occupational Health - should work with the Lactation Support Team, the Metro Transit Support Facilities Manager, and the Environmental Services Facilities and Fleet Manager to create and routinely execute a process to verify that locations and amenities information is accurate and up to date on the Lactation Room Guide.

Management Response: Agree. The Senior HR Manager - Occupational Health and Lactation Support Team Co-Chair will convene a meeting with the Metro Transit Support Facilities Manager, and the Environmental Services Facilities and Fleet Manager. The locations and amenities information in the updated Lactation Room Guide will be reviewed for accuracy by this group. A schedule will be developed to conduct periodic inspections of each location to ensure they are accurately represented in the Lactation Room Guide. A checklist will be created and utilized with the inspections. The checklist will be submitted to and maintained by Occupational Health. Divisions will identify areas needing addressing and replace identified items. Divisions will notify Occupational Health when the task is completed. The checklist will be retained and referenced to document the process and any subsequent actions based on findings of the inspections.

Timetable: The meeting and creation of the schedule will be completed by end of Q1 2027.

Staff Responsible: Oversight of the implementation of this recommendation will be conducted by the Senior HR Manager – Occupational Health.

Audit Follow-Up: Confirmation

Observation 3: The Lactation Guide Directs Users to Locker Rooms and a Bathroom

The Lactation Room Guide lists that five lactation rooms are in women's locker rooms. During onsite reviews, Audit identified that there were four women's locker rooms and one all-gender bathroom that was designated as a lactation room (Appendix B, Images A and B). These rooms have standard bathroom fittings, such as sinks and toilets. However, they did not have required attributes, such as private space free from intrusion, seating suitable for pumping, or accessible outlets. The rooms also do not have a mechanism to indicate whether the room is being occupied (Appendix A, Images A, B, and D-N). Of the five facilities that use locker rooms or a bathroom as lactation spaces, four are in Environmental Services plants and one is a Metro Transit maintenance garage.

Federal law U.S.C. § 218d(a)(2) states an employer shall provide "a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk." Minnesota Statutes, section 181.939 states that a lactation room must be some place "other than a bathroom or a toilet stall." The Lactation Support Procedure states the "Metropolitan Council will provide a clean, private, and secure location for employees to express milk. This location must be a private room (not a toilet stall or restroom)." The Lactation Support Procedure also states the Met Council "will ensure privacy by having a lock on the door of the dedicated lactation room and a sign outside the door to let the employee indicate the space is in use."

Prior to 1998, when Minnesota Statutes section 181.939 was first enacted, employers in Minnesota were not required to provide lactating employees with a private location to express breast milk. The four Environmental Services facilities and Metro Transit maintenance garage that designated locker rooms as lactation spaces were built before 1998. These facilities were designed without consideration for lactation space compliance and have not had significant capital improvements since.

Table Three: Build Date and Expansion Dates of Environmental Services Buildings Without Dedicated Lactation Rooms

Facility	Year Built
Blue Lake	1973
Empire	1979
Hastings	1955, expanded 1983
St. Croix Valley	1959, upgraded 1970, 1973, 1993
Overhaul Base	1981

When the Lactation Room Guide was created, the Lactation Support Team (LST) relied on onsite staff at each facility to self-report the location and conditions of their lactation rooms. However, the LST did not independently verify that each location listed in the Lactation Room Guide was compliant, accurate, and up to date.

The Met Council increases its risk of noncompliance with federal law, state law, and Met Council policy by designating locker rooms and bathrooms as a place to express milk. Bathrooms are explicitly prohibited by federal and state law, and locker rooms are not consistently clean, private, or free from intrusion. The locker rooms identified in the Lactation Room Guide do not have the required attributes of a lactation space. Lactating employees could experience intrusions, interruptions, or other privacy violations. They could also experience an unsanitary pumping environment, lack of access to necessary equipment, and barriers to storing milk if they must express milk in a locker room. In addition, noncompliance with state law puts the Met Council at risk for litigation related to

employee lactation accommodation under Minnesota Statutes, section 181.944. Injured employees could seek damages under this statute, posing a financial and reputational risk to the Met Council.

The Met Council maintains a certification as a Breastfeeding Friendly Workplace by the Minnesota Department of Health. This designation is displayed prominently at the entrance of Met Council-owned facilities (Appendix A, Image C). Failure to provide compliant lactation spaces creates a reputational risk to the Met Council among employees, contractors, and members of the public.

Recommendation:

1. The Senior HR Manager - Occupational Health should work with the Lactation Support Team to create and routinely execute a process to verify that all lactation spaces are compliant with state and federal law as well as Met Council policy.

Management Response: Agree. The Senior HR Manager - Occupational Health and Lactation Support Team Co-Chair will, together with the Lactation Support Team, create a schedule to review all designated lactation spaces to verify that all lactation spaces are compliant with state and federal law as well as Met Council policy. A checklist will be created and utilized with the review. The checklist will be retained and referenced to document the process and any subsequent actions based on the findings of the review.

Please note: the lactation room guide reviewed during this audit is in the process of being updated, and some spaces reviewed during the audit are not designated lactation spaces and will not be included or referenced in the updated guide.

Timetable: The schedule and checklist will be created by the end of Q1 2027.

Staff Responsible: Oversight of the implementation of this recommendation will be conducted by the Senior HR Manager – Occupational Health

Audit Follow-Up: Confirmation

2. The Senior HR Manager - Occupational Health - and the Lactation Support Team should work with each Environmental Services and Metro Transit site identified in this finding to create a contingency plan to meet future demand for lactation spaces.

Management Response: Agree. Statute and Council policies dictate space needs in facilities. Facilities leaders must include lactation needs in their space forecasting. The Senior HR Manager - Occupational Health and the Lactation Support Team can provide best practices and suggestions to division leaders for complying with statute and Met Council lactation procedures.

The Senior HR Manager - Occupational Health and Lactation Support Team Co-Chair will convene a meeting with Environmental Services and Metro Transit leaders to identify sites which do not currently have a lactation space and advise them in creating a contingency plan for addressing a need for lactation space at those sites. The contingency plan will be reviewed annually by the Lactation Support Team.

Timetable: The meeting will be convened by the end of Q3 2027.

Staff Responsible: Oversight of the implementation of this recommendation will be conducted by the Senior HR Manager – Occupational Health. As indicated in the lactation procedure, facilities and maintenance staff remain responsible for providing solutions for adapting and converting building space for use as a lactation room.

Audit Follow-Up: Confirmation

Observation 4: Lactation Rooms Consistently Lacked Required Amenities

Audit visited 26 lactation rooms and found that nine were not furnished with required amenities (Table Four).

Table Four: Missing Equipment from Lactation Rooms, by Location

Location	No Running Water	Missing Fridge	Missing Electrical Outlet
Blue Lake Plant		X	
Empire Plant	X	X	X
Hastings Plant		X	
Seneca Plant		X	
St. Croix Valley Plant		X	
Big Lake—Northstar		X	
Overhaul Base	X	X	X
Southwest Project Office	X		
Transfer Road (MTPD East Command)	X		

Note: Table includes data from on-site visits done by Audit in June 2026.

The Lactation Support Procedure states that “All dedicated lactation rooms include an in-room mini-fridge for milk storage” and is “located near a sink with running water.” Minnesota Statutes, section 181.939 states that an employer must “make reasonable efforts to provide a clean, private, and secure room ... that is shielded from view and free from intrusion from coworkers and the public and that includes access to an electrical outlet.”

Met Council divisions are responsible for furnishing their own lactation spaces. Metro Transit and Environmental Services have separate in-house teams that furnish the lactation spaces, and each site uses its own budget to furnish rooms. After furnishing is completed, there are no ongoing reviews of the furnishings of the lactation spaces. The Lactation Support Procedure currently states that lactation room users should report issues, including missing furnishings, to the Lactation Support Team.

Missing equipment in lactation spaces is a compliance risk for the Met Council. Minnesota Statutes, section 181.944 allows employees to bring civil action against employers for violations of Minnesota Statutes, section 181.939. By not providing electrical outlets, the Met Council is at an increased risk of noncompliance with state law.

Missing equipment in designated lactation spaces poses a reputational risk for the Met Council, particularly given its recognition as a Breastfeeding Friendly Workplace by the Minnesota Department of Health. Gaps between this designation and actual conditions in lactation spaces could be perceived as performative rather than substantive, undermining employee trust and inviting public or media scrutiny if such discrepancies become known. Continued noncompliance may also expose the Met Council to reputational and credibility risk with the Minnesota Department of Health, potentially affecting the standing of the designation. Prospective employees could find the Met Council less attractive if the Met Council lost this designation.

Recommendation:

1. The Senior HR Manager - Occupational Health - should work with the Lactation Support Team to update the Lactation Support Procedure (HR 1-1a) to accurately describe the minimum attributes present in each lactation room.

Management Response: Agree. In partnership with OGC, the Lactation Support Procedure (HR 1-1a) has recently been reviewed and revised. The revised procedure was published September 10, 2026, and reflects minimum statutorily required amenities provided in each designated lactation room as well as additional enhancements which *may* be provided. Some items noted as missing in the audit report are not statutorily required, as is now reflected in the revised published procedure.

Timetable: This item is completed as of September 10, 2026

Staff Responsible: Oversight of the implementation of this recommendation has been conducted by the Senior HR Manager – Occupational Health.

Audit Follow-Up: Retest

2. The Senior HR Manager - Occupational Health - should work with the Lactation Support Team to ensure each lactation room has the equipment required by federal and state law as well as Met Council policies and procedures and then work with the facilities staff to periodically monitor the lactation spaces.

Management Response: Agree. The Senior HR Manager - Occupational Health and Lactation Support Team Co-Chair will convene a meeting with facilities staff to create a schedule and process for initial inspection of designated lactation spaces and periodic monitoring to ensure each lactation room has the equipment required by federal and state law as well as Met Council policies and procedures. A checklist will be created and shared which can be utilized with periodic monitoring to document the process and any subsequent actions based on the monitoring. Areas or items needing attention will be reported to divisional facility leaders to be addressed.

Timetable: This item will be completed by Q3 2027.

Staff Responsible: Convening the meeting and creating a checklist will be conducted by the Senior HR Manager – Occupational Health. As indicated in the lactation procedure, division leaders remain responsible for evaluating the status of their respective division's lactation rooms for their facilities.

Audit Follow-Up: Confirmation

Observation 5: Lactation Room Cleanliness Needs Improvement

Of the 26 lactation rooms that Audit visited for onsite testing, nine were not clean (Table Five). Auditors identified animal droppings in cupboards, food stored in mini fridges meant for breast milk, office supplies, work uniforms, and other personal hygiene items stored in lactation rooms (Appendix A, Images D, E, L, O).

Audit could not determine the frequency of cleaning for all lactation rooms across the Met Council as there were no physical cleaning logs or widespread use of badge readers to control access to lactation rooms. However, when Audit reviewed badge access data for the six of 25 lactation rooms that had badge readers, Audit identified two rooms at Metro Transit that had not been cleaned within the scope of the audit. At the time of review, the lactation room at North Loop (room A-233) had not been successfully accessed by janitorial staff between January 29th and June 30th, 2026. Between January and March, janitors unsuccessfully attempted to enter the lactation room six times. After March 2026, no further attempts were made by janitorial staff. Additionally, at the East Metro Garage (room 215), no janitors or other cleaning staff attempted to enter the lactation room between January 2nd and June 30th.

Table Five: Lactation Rooms That Were Not Clean

Location Name	Access Controlled with a Badge Reader?	Accessed by Cleaners?
East Metro Transit Facility	Yes	No
North Loop Garage	Yes	No
Blue Lake Plant	No	Unknown
Empire Plant	No	Unknown
Hastings Plant	No	Unknown
St. Croix Valley Plant	No	Unknown
Metro Plant Admin	No	Unknown
Overhaul Base	No	Unknown
Transit Control Center	No	Unknown

State law directs employers to keep lactation spaces clean. Minnesota Statutes, section 181.939 states that employers “must make reasonable efforts to provide a clean, private and secure room... where the employee can express milk in privacy.”

The Lactation Support Procedure also requires clean facilities: “The Metropolitan Council will provide a clean, private, and secure location for employees to express milk.” The Lactation Support Procedure further states the Facilities and Maintenance staff “will regularly clean the lactation spaces and provide the necessary cleaning supplies for users” as well as “ensure lactation rooms are cleaned on a regular basis.” The Lactation Support Procedure also states that managers and supervisors “are responsible for working with the employee and facilities staff to ensure the space is suitable and clean

ahead of the employee's return to work." The Lactation Support Procedure directs division leadership to "evaluate the status of the division's lactation rooms and provide recommendations for improvement to facilities or the Lactation Support Team."

There is conflicting information across Met Council departments, employees, and contracts on how often, how much, and which lactation rooms should be cleaned. According to the Lactation Support Team, lactation rooms at each facility are supposed to be cleaned at the same frequency as restrooms. Metro Transit states that janitorial staff supply sanitation wipes to lactation rooms at Metro Transit facilities. From there, Metro Transit cites the Lactation Support Procedure, which states that employees must use the wipes to keep the lactation spaces... "clean and must return the furniture and equipment to their original state after each use." Environmental Services manages a contract with an external vendor to clean their lactation rooms. The cleaning contract includes daily, weekly, monthly, and semi-annual intervals for cleaning elements of lactation rooms. The contract lists three sites with lactation rooms but does not list all ES facilities. However, the contract manager at ES informed Audit that the contract applies to all ES facilities.

Without badge readers (or another control, such as cleaning logs) at each lactation room across the Met Council, it is difficult to verify that lactation rooms are being cleaned at an appropriate frequency. Therefore, the Met Council lacks practices to ensure lactation rooms are regularly or thoroughly cleaned.

Of the nine lactation spaces that were not clean, five lactation spaces were not clean because they are either a locker room or a bathroom. Locker rooms and bathrooms are shared spaces for all employees and do not have adequate controls to ensure that they are sanitary. For example, these locker rooms and the bathroom contained employee uniforms, work boots, and other personal items such as hygiene products. In one instance, a locker room had a toaster oven that appeared to be in use (Appendix A, Image E).

Given that two out of six lactation rooms with badge readers had not been cleaned in several months, there is a risk that other lactation rooms not controlled with badge readers are also not being accessed by cleaners. Without badge readers at all lactation rooms, it is also more difficult to determine if cleanliness issues were caused by improper use of lactation rooms. However, unrestricted access to lactation rooms increases the risk of uncleanliness of lactation rooms.

The current oversight practices for lactation room cleanliness create a compliance risk. In Environmental Services, it is difficult to confirm lactation rooms are clean in compliance with Minnesota statutes if there is insufficient employee verification. For Metro Transit, assuming employees will clean the lactation spaces increases risk of noncompliance. Employees may not clean lactation rooms as thoroughly as janitors or contracted cleaners. They may not have been trained to clean specific messes such as animal droppings.

Additionally, designating locker rooms and bathrooms as a lactation space creates not only a compliance risk (see Observation Three), but a health and safety risk as well. Employees use locker rooms and bathrooms for a variety of hygiene needs and are more likely to be unsanitary for lactation than a designated lactation room. For example, breast pumps and other lactation equipment may become contaminated, causing injury or illness to the employee and their child. This specific health and safety risk also poses legal risk. Minnesota Statutes, section 181.944 states that a person injured due to violation of 181.939 "may bring a civil action to recover any and all damages recoverable at law." An injured employee seeking to recover damages against the Met Council poses a financial risk as well.

Finally, the Met Council advertises its Breastfeeding Friendly status through the Minnesota Department of Health (Appendix A, Image C). Failure to offer clean lactation rooms contradicts this status and creates a reputational risk among Met Council employees, contractors, and members of the public.

Recommendation:

1. The Metro Transit Support Facilities Maintenance Manager should create a process to ensure that all cleaning staff have adequate badge permissions to enter lactation rooms.

Management Response: Agree - Facilities staff met on site with Metro Transit Lactation Support Project Team member in October 2025 to discuss frequency and level of cleanliness required for room and individual accessory items. Facilities Management will work with Council Project Managers to develop a notification plan for when new locations are added and require cleaning based on identified staff usage.

Timetable: Lactation room cleanliness reverification will be completed by the start of **Q4 2026**.

Staff Responsible: Oversight of the implementation of this recommendation will be conducted by the Facilities Maintenance Manager.

Audit Follow-Up: Confirmation

2. The Environmental Services Facilities and Fleet Manager, Environmental Services Maintenance & Security Director, and the Metro Transit Support Facilities Maintenance Manager should each work with the Lactation Support Team to create, execute, and distribute a plan to ensure that lactation rooms are periodically cleaned in accordance with state law, Met Council contracts, and employee work requirements.

Environmental Services Management Response: Environmental Services agrees with the findings identified in Observation #5 of the Lactation Support Team Audit regarding "Table Five: Lactation rooms that were not clean." Nine Metropolitan Council locations were cited, five of which fall under Environmental Services. Of those five, two facilities are serviced by FBG Services under contracts 24P248 and 24P091. A detailed review of the contracts and scope of work shows that lactation rooms are not currently included in their routine cleaning rounds.

The remaining three facilities are cleaned and managed by our local operations teams. Currently, none of the five Environmental Services facilities with lactation rooms have established routine cleaning routes. To address this gap, all five facilities will be assigned daily cleaning round checklists to ensure each lactation room is inspected, cleaned, and documented upon completion. Both FBG Services and our operations teams will receive these checklists and will be responsible for completing them during daily cleaning or determining additional cleaning needs within the lactation rooms.

Environmental Services Timetable: Checklists will be developed, communicated, and posted at all locations by October 31, 2026.

Environmental Services Staff Responsible: Program Technical Specialists supporting each location will be requested to monitor the completion of this checklist daily and/or weekly. Any deficiencies shall be reported back to the lactation support team or ES Leadership.

Metro Transit Management Response: Agree - Facilities staff met on site with Metro Transit Lactation Support Project Team member in October 2025 to discuss frequency and level of cleanliness required for room and individual accessory items. Facilities Management will work with Council Project Managers to develop a notification plan for when new locations are added and require cleaning based on identified staff usage.

Metro Transit Timetable: Lactation room cleanliness reverification will be completed by the start of **Q4 2026**.

Metro Transit Staff Responsible: Oversight of the implementation of this recommendation will be conducted by the Department Manager.

Audit Follow-Up: Confirmation

Observation 6: Access Controls Not Adequate to Ensure Lactation Rooms are Clean, Private, and Secure

Audit reviewed 26 lactation rooms and found that only six rooms control access with a badge reader. Of the six rooms controlled with badge access, five lactation rooms belong to Metro Transit, and one belongs to Regional Administration. Badge readers for lactation rooms are present at the following locations: East Metro Garage (room 215), Heywood Office (room E111), Heywood Garage (room 2012), Nicollet Garage (room 210), North Loop Garage (room A-233), and Robert Street (lower-level lactation rooms). Environmental Services does not control lactation rooms with badge readers.

Between January 1st and June 30th, 2026, Audit identified 21 instances of janitorial or cleaning staff who tried unsuccessfully to enter lactation rooms across the six lactation rooms controlled with badge access. Two rooms were not cleaned at all during the period of review (see Observation Five).

During the review, 60 individual women attempted to enter lactation rooms. Out of these, 30 women were successful. Of these 30 women who successfully entered lactation rooms, 23 entered the lactation room at Robert Street, which authorizes all women to access the lactation rooms regardless of lactation status.

Out of 130 instances of unauthorized attempts to enter lactation rooms across the Met Council, there were 40 instances of unauthorized women unsuccessfully attempting to access lactation rooms, indicating that some women who were unauthorized attempted entry multiple times. Of all women who attempted to enter lactation rooms, only four had applied for PPL within the last two years.

Of the 16 women who attempted to access the lactation room at the North Loop Garage, only one woman of the sixteen had inquired about PPL. When this woman attempted to access the lactation room, she did not get in. She did not attempt again.

While there were no instances of men who were not cleaners successfully entering lactation rooms during the scope of review, there were 90 instances of men attempting to enter lactation rooms. At the North Loop Garage, one man unsuccessfully attempted to enter the lactation room on eight separate occasions. Another man unsuccessfully attempted to enter the lactation room on four separate occasions. On one occasion, a group of three men consecutively scanned their badges within seconds of each other to attempt to enter. On another occasion, a group of two men consecutively scanned their badges to attempt to enter. The North Loop Garage is clearly labeled as a Mother's Room on the outside of the door [Appendix, Image P].

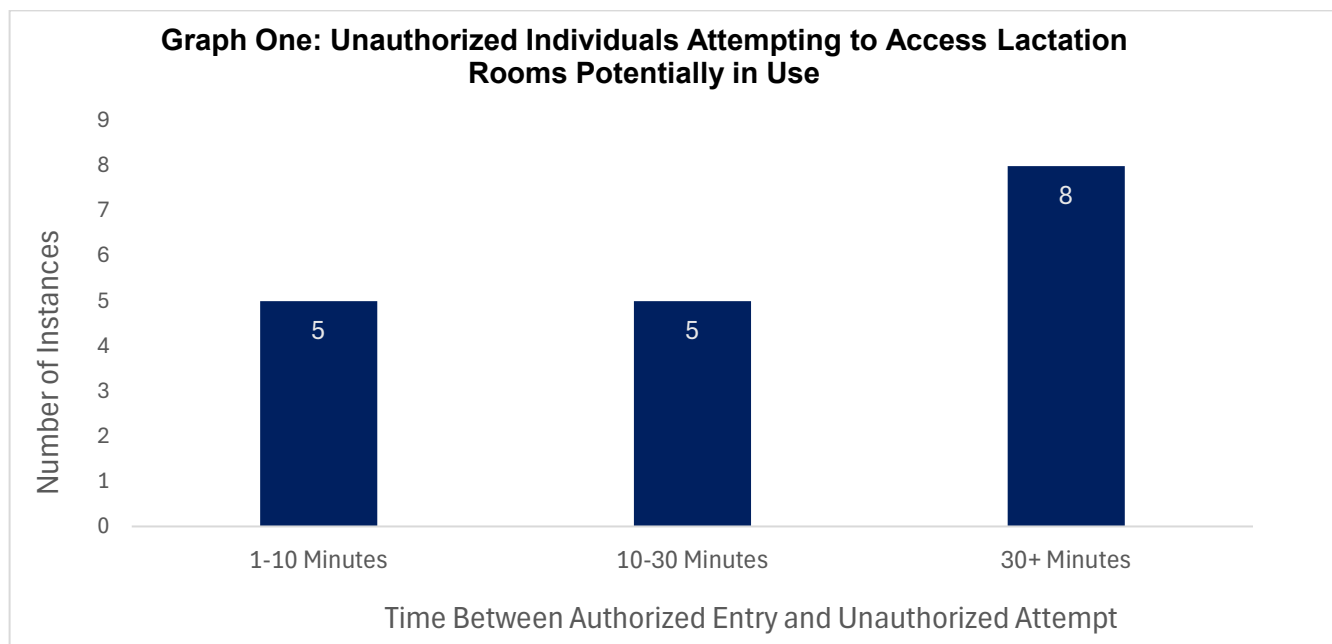
Across all six lactation rooms controlled with badge readers, there were 18 instances of unauthorized users attempting to enter the lactation rooms while they may have been in use (an authorized user had entered the lactation room within 60 minutes before the unauthorized attempt) (Graph One).

Records of badge access to lactation rooms across the Met Council are not routinely monitored. Badge access data is only retrieved and examined by the Lactation Support Team if there is a complaint or misuse or misconduct.

Table Six: Instances of Authorized and Unauthorized Attempts to Enter Lactation Rooms by Gender Between January 1st and June 30th, 2026

Lactation Room Location	Cleaner Denied Access	Women Denied Access	Men Denied Access	Attempted Entry While in Use
East Metro Garage	0	9	19	4
Heywood Office	4	9	3	0
Heywood Garage	4	4	16	0
Nicollet Garage	7	0	6	0
North Loop Garage	6	18	42	14
Robert Street	0	0	4	0

Note: According to the Lactation Support Procedure, only lactating employees and Facilities and Maintenance Staff are authorized need to enter the lactation rooms.



The Lactation Support Procedure states that lactating employees are authorized to enter the lactation rooms: "The Metropolitan Council will ensure all lactating employees – regardless of division, work unit, work site, or type of position – have equitable access to lactation spaces and the ability to continue expressing milk during work hours." The Lactation Support Procedure states that employees must work with their supervisor to arrange lactation accommodations, including gaining access to the rooms.

The Lactation Support Procedure further states that “All employees must avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance. Employees must refrain from using the lactation space if they do not have a business purpose to do so. Employees who intentionally interrupt employees who are expressing milk or misuse lactation space may be subject to discipline.”

Finally, the Lactation Support Procedure states the “Metropolitan Council will provide a clean, private, and secure location for employees to express milk.” HR 1-1a also states the Met Council “will ensure privacy by having a lock on the door of the dedicated lactation room and a sign outside the door to let the employee indicate the space is in use.” [3.01]. According to the Lactation Support Procedure, Facilities and Maintenance staff have a business need to enter the rooms to complete cleaning and maintenance of the rooms.

Federal law U.S.C. § 218d(a)(2) states an employer shall provide “a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.”

Whether or not a lactation room has a badge reader assigned to it is managed on an ad-hoc basis. While the Met Council’s Lactation Support Procedure requires that all lactation rooms have a locking mechanism, the Procedure does not require that each lactation room have a badge reader. Rather, the Procedure states that “some” lactation rooms may have badge readers. Additionally, the Lactation Support Team only reviews badge access data if there has been a complaint but does not routinely monitor badge access data.

Access to lactation rooms is also managed on an ad-hoc basis. Employees and cleaners must request badge access to lactation rooms controlled with badge readers through facilities and maintenance at Environmental Services locations and Robert Street, while at Metro Transit, requests can be submitted to an email account dedicated to Metro Transit badge access.

While badge access controls appear to be effectively preventing most unauthorized individuals from gaining access, badge access is not adequately controlled to ensure that cleaners can enter rooms to complete required cleaning, which creates risk of unclean, unsanitary rooms (see Observation Five), which could result in noncompliance with state and federal law, as well as reputational risk to the Council as a Certified Breastfeeding Friendly Workplace.

Additionally, the high number of unauthorized entry attempts at these six lactation rooms, combined with employee complaints about misuse and cleanliness submitted to the Lactation Support Team email, indicates a high risk of unauthorized entry at other locations not controlled by badge access. Inadequate controls around privacy and security of lactation rooms increase the risk of Respectful Workplace violations, such as confrontations or harassment between employees. Attempts by multiple unauthorized individuals at the same time, as well as unauthorized attempts while the room is in use, are especially high risk.

Finally, inadequate badge access controls may inadvertently prevent lactating employees from accessing rooms, particularly if there are no instructions readily available to the employee about how to request access.

Recommendation:

1. The Senior HR Manager - Occupational Health - and the Lactation Support Team should coordinate with Metro Transit and Environmental Services to ensure that all lactation spaces have badge readers.

Management Response: Disagree. The Senior HR Manager - Occupational Health and the Lactation Support Team support division leadership determining the necessity and effectiveness of badge readers for spaces in their facilities. Such determinations may differ among divisions and facilities and are based on operational approaches, assessment of needs, operational budgets, and management discretion. The Senior HR Manager - Occupational Health and the Lactation Support Team do not have budget allocation or authority to compel installation of badge readers at Metro Transit and Environmental Services facilities.

In some Environmental Services facilities, plant operators are responsible for custodial duties. That requires all operators to always have access to lactation rooms. . In some facilities, badge readers increase the risk that a lactation space cannot be accessed when it is needed by a lactating employee. Risk of unauthorized access is mitigated because lactation spaces can be locked from the inside when in use.

Timetable: N/A

Staff Responsible: N/A

Audit Follow-Up: Retest

2. The Senior HR Manager - Occupational Health - and the Lactation Support Team should coordinate with Metro Transit, Environmental Services, and Regional Administration to create and implement a process to grant access to authorized users, such as lactating employees and janitorial/cleaning staff, within one business day of the request for access.

Management Response: Partially agree. The Senior HR Manager - Occupational Health and Lactation Support Team Co-Chair will convene a meeting with division partners to discuss best practices and expectations for their processes for granting access to authorized users within a reasonable timeframe of the request or need. The Senior HR Manager - Occupational Health and Lactation Support Team do not control access to facilities and cannot determine or enforce that access is always granted within one day of request. Metro Transit, Environmental Services, and Regional Administration leaders and facilities staff should create and implement a process to grant access to authorized users for lactation spaces within a reasonable timeframe of the request or need, as they would for any secured spaces in their respective facilities.

Timetable: A meeting will be convened by the end of Q2 2027.

Staff Responsible: Convening the meeting will be conducted by the Senior HR Manager – Occupational Health.

Audit Follow-Up: Confirmation

3. The Senior HR Manager - Occupational Health - should work with the Lactation Support Team to periodically review badge reader data to ensure that all individuals who have a business need can access lactation rooms.

Management Response: Disagree. The Senior HR Manager - Occupational Health and Lactation Support Team are not best positioned to determine all individuals who have a business need to access lactation rooms, such as contracted janitorial staff. Periodic review of badge reader data would not provide sufficient information to ensure that all individuals who have a business need can access lactation rooms. Human resources managers do not periodically review facility badge reader data for other purposes, and doing so for lactation spaces could create a chilling effect and privacy concerns for lactating employees.

Upon receiving a report of an authorized user being unable to access a lactation space, the Senior HR Manager - Occupational Health and/or the Lactation Support Team will report the issue to facilities staff at that location to have access granted or resolve the access issue.

Timetable: N/A

Staff Responsible: N/A

Audit Follow-Up: Retest

4. The Senior HR Manager - Occupational Health - should partner with the Lactation Support Team to work with leadership at Metro Transit, Environmental Services, and Regional Administration to address repeated attempts to access lactation rooms by unauthorized individuals.

Management Response: Agree. A resource posted in each lactation space will direct users to report attempts by unauthorized users to access the space to Occupational Health. Upon receiving a report of repeated attempts to access lactation rooms by unauthorized individuals, the Senior HR Manager - Occupational Health will share that concern with the HR Business Partner assigned to the facility. The HR Business Partner will work with leadership through their normal means and channels to address allegations of employee misconduct or concerning behaviors.

Timetable: A report of repeated attempts to access lactation rooms by unauthorized individuals will be shared with an HR Business Partner by the Senior HR Manager - Occupational Health within one business day.

Staff Responsible: The Senior HR Manager - Occupational Health will be responsible for sharing a report of repeated attempts to access lactation rooms by unauthorized individuals with the HR Business Partner assigned to the facility.

Audit Follow-Up: Confirmation

5. The Senior HR Manager - Occupational Health Officer - should work with the Lactation Support Team to place a permanent resource in each lactation room that directs users to report concerns about harassment related to lactating at work to the EthicsPoint portal.

Management Response: Agree. The Senior HR Manager - Occupational Health will work with the Lactation Support Team to create and place a posted document in each lactation room including direction for users to report concerns about harassment related to lactating at work to the EthicsPoint portal.

Timetable: This item will be completed by the end of Q2 2027.

Staff Responsible: Oversight of this item will be conducted by the Senior HR Manager - Occupational Health.

Audit Follow-Up: Retest

Conclusions

Lactation rooms must be treated as a legal compliance priority by all Met Council divisions. The results of this audit indicate that the Met Council must make significant improvements to the workplace culture around lactation spaces. Going forward, led by the Deputy CHRO and LST, all Met Council divisions should improve controls and promote awareness about proper use of and legal requirements for lactation rooms.

The Deputy Chief Human Resources Officer, the Senior HR Manager - Occupational Health, and the Lactation Support Team make a strong effort to protect and promote lactation rights for employees and visitors at the Metropolitan Council. The LST routinely addresses questions, comments, and concerns from lactation room users by providing information, supplies, and access to lactation rooms to those who need it. However, Audit's observations show the Met Council's current governance structure and management of lactation accommodation compliance risk are not adequate to ensure that all lactation rooms are clean, private, secure, and readily accessible to lactating employees. Of the 26 lactation rooms, 16 had an audit finding related to cleanliness, privacy, or security. Lactation rooms belonging to Environmental Services pose a significant risk to the Met Council's legal compliance with federal and state requirements by directing users to locker rooms and bathrooms.

October 14, 2026
Sandra Ludwig
Chief Audit Executive

Appendix A



Image A: Interior view of the previously operational Overhaul Base lactation room.



Image B: Exterior view of the previously operational Overhaul Base lactation room.



Image C: Breastfeeding Friendly Workplace door decal on the front door of 390 Robert Street.



Image D: Women's locker room at Blue Lake



Image E: Women's locker room at Blue Lake



Image F: Bathroom stalls in women's locker room at Blue Lake



Image G: Shower stall in women's locker room at Blue Lake



Image H: Women's locker room at Empire Plant



Image I: Showers in the women's locker room at Empire Plant



Image J: Women's locker room at Hastings Plant



Image K: All-gender bathroom at St. Croix Valley Plant

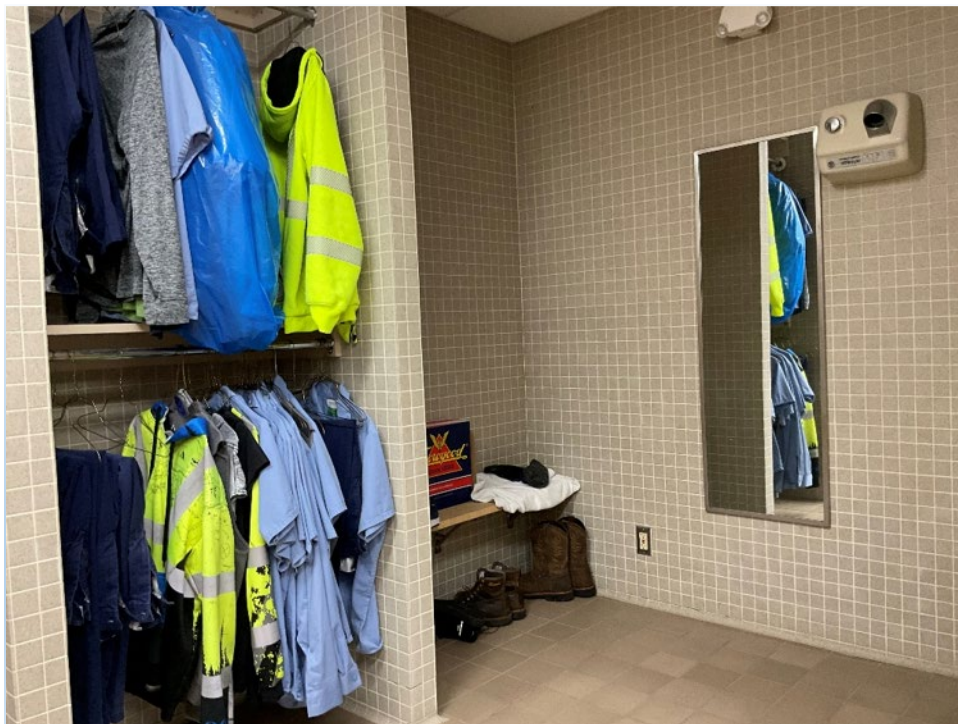


Image L: All-gender bathroom at St. Croix Valley Plant



Image M: The outside of the women's locker room at Overhaul Base, identified by staff as the alternate lactation space. Staff stated that they would direct lactating employees to the shower in the women's locker room.



Image N: The shower in the women's locker room at Overhaul Base.

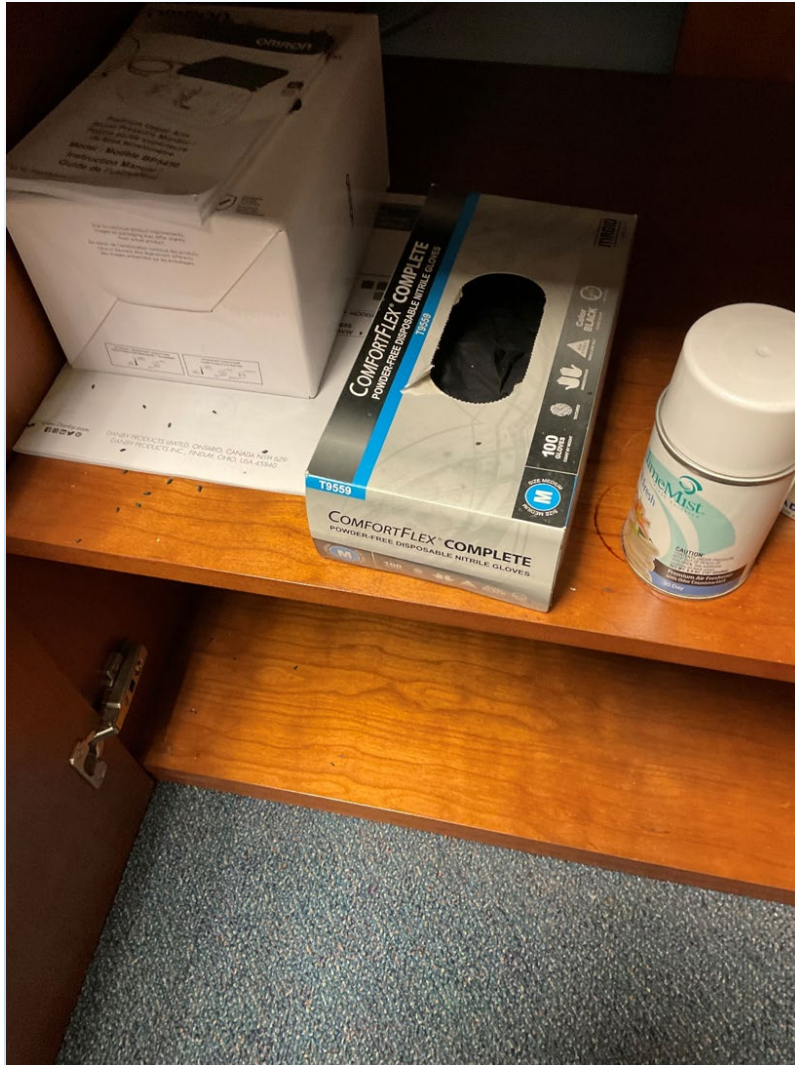


Image O: Mouse droppings at Transit Control Center



Image P: The outside of the lactation room at North Loop Garage

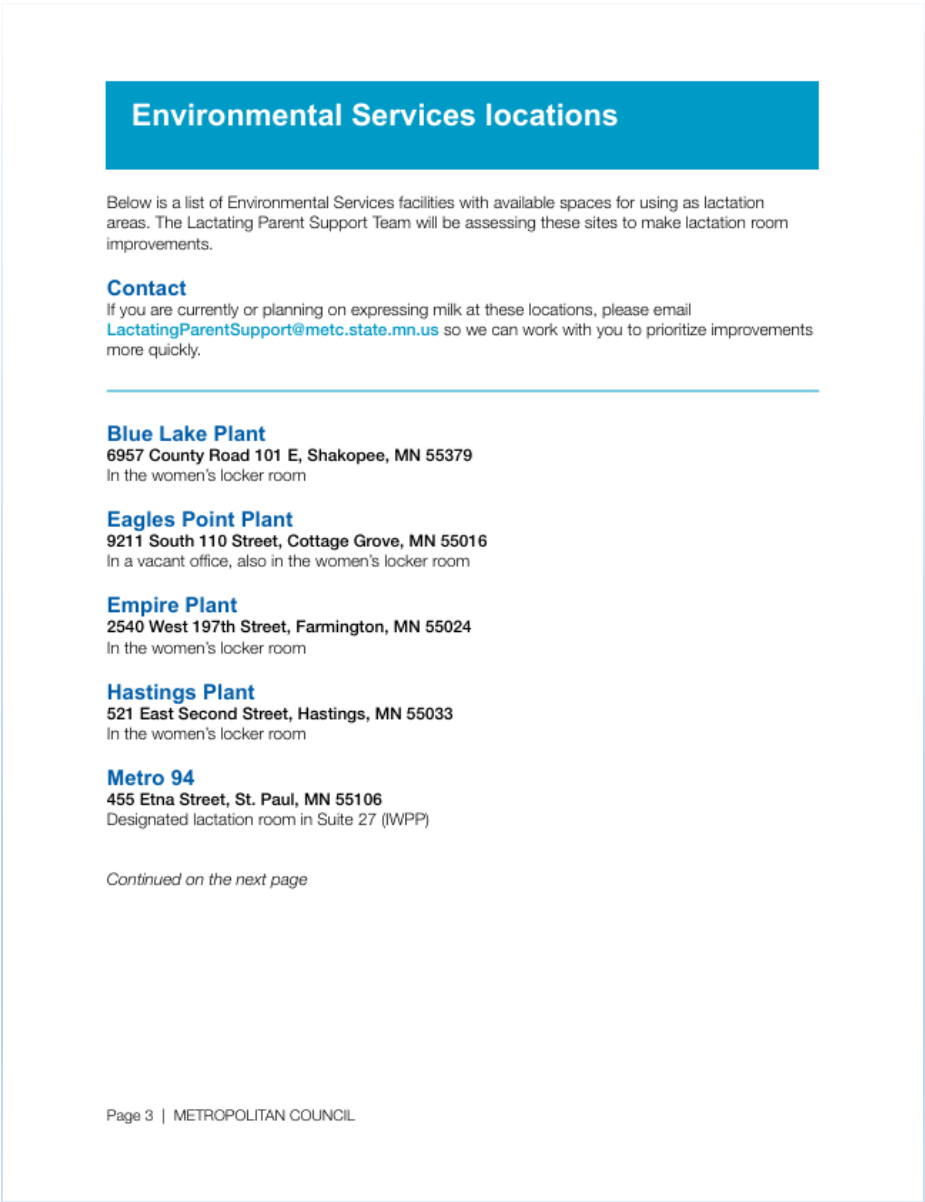


Image A: Page 3 of the Lactation Room Guide, where lactation rooms at Blue Lake Plant, Eagles Point Plant, Empire Plant, and Hastings Plant are listed in women’s locker rooms.

Environmental Services locations

Continued from previous page

Metro Plant Admin.

2400 Childs Road, St. Paul, MN 55106

Room 208 on the second floor of the Administration Building

Metro Plant Construction Field Office

2500 Childs Road, St. Paul, MN 55106

Small Conference Room (has privacy shade and locks on the door)

Metro Plant Lab

2400 Childs Road, St. Paul, MN 55106 (Metro Plant)

Conference Room 3

Regional Maintenance Facility

3565 Kennebec Drive, Eagan, MN 55122

In a vacant office, also in the library

Seneca Plant

3750 Plant Road, Eagan, MN 55122

In the women's locker room

St. Croix Valley Plant

6163 North St. Croix Trail, Oak Park Heights, MN 55082

In the women's locker room

Note on the Metro Plant

Night and weekend shift employees can have a temporary access card to the admin. building to use the room if they are a lactating parent.

Image B: Page 4 of the Lactation Room Guide, where lactation rooms at Seneca Plan and St. Croix Valley Plant are listed in women's locker rooms.

Appendix C

Program Evaluation and Audit recommendations are categorized according to how Audit will follow-up on them. The categories are:

- **Retest** — Audit will retest the area using the same or similar procedures after a recommendation has been implemented and sufficient time has passed for the changes to take effect. The retest will take place on a specified timetable. The recommendation will be closed once the change has occurred. A new audit project will be opened for retesting and any new findings will include new recommendations
- **Confirmation** — Audit will confirm that an adequate risk response has been completed on the agreed upon timeline. The recommendation will be closed once the change has taken place.
- **Assess Risk** — Audit will not plan for specific follow up to these recommendations. Audit will discuss the area as part of its annual risk assessment activities and consider future audit work in the area.

Distribution List

All audit reports are reported to the general public and are available on www.metrocouncil.org. This audit report was distributed to the following parties:

- Audit Committee Members
- Regional Administrator
- Chief HR Officer
- Senior HR Manager
- HR Business Partner
- Facilities Maintenance Manager
- Workforce & Equity Program Coordinator
- Design & Engineering Senior Project Coordinator
- Central Services Manager
- Facilities & Fleet Manager

390 Robert Street North
Saint Paul, MN 55101-1805

651.602.1000
TTY 651.291.0904
public.info@metc.state.mn.us
metrocouncil.org

