



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
CIVIL RIGHTS BUREAU

July 3, 2014

VIA ELECTRONIC MAIL

Ms. Allison Spivak
Director of Legal Affairs - Human Resources
Barnes & Noble, Inc.
122 Fifth Ave
New York, NY 10011

Re: **Barnes & Noble's Compliance with New York State Civil Rights Laws
Protecting Mothers' Right to Breast Feed in Public Accommodations**

Dear Ms. Spivak:

The purpose of this letter agreement is to memorialize Barnes & Noble's cooperation with the Attorney General's Office (OAG) and commitment to implementing and maintaining policies, procedures, training and notification protocols to ensure that breastfeeding mothers are not harassed or discriminated against in Barnes & Noble stores in New York State.

Under New York state civil rights law, "a mother may breastfeed her baby in any location, public or private, where the mother is otherwise authorized to be, irrespective of whether or not the nipple of the mother's breast is covered during or incidental to the breastfeeding." *See* New York Civil Rights Law §79-e.

Our Office received a complaint alleging that on or about March 16, 2014, a Barnes & Noble employee told a mother breastfeeding her child at the Company's Nanuet, New York store to cover up or leave. Although Barnes & Noble adopted a written company-wide breastfeeding policy that prohibits employees from interfering with a mother's right to breastfeed at its stores shortly after this incident, our Office's investigation found Barnes & Noble's customer complaint resolution procedure to be deficient. Accordingly, Barnes & Noble commits to the following measures to resolve this Office's investigation into this matter.

POLICY AND COMPLAINT PROCEDURE

Barnes & Noble agrees to maintain its written company-wide breastfeeding policy that prohibits employees from interfering with a mother's right to breastfeed at its stores. The policy prohibits employees from asking breastfeeding mothers to cover up or to breastfeed in designated locations.

Barnes & Noble also agrees to revise its customer complaint resolution procedures to specifically reference complaints alleging discrimination or harassment based on any protected status (including complaints alleging interference with a mother's right to breastfeed) within fifteen (15) days of the signing of this agreement ("effective date"). Those procedures shall be subject to OAG review. Barnes & Noble agrees to ensure the timely review of and response to complaints.

Barnes & Noble shall distribute its breastfeeding policy and revised customer complaint procedures to all New York store employees within thirty (30) days of the effective date.

TRAINING

Barnes & Noble agrees to train all New York store employees and managers (including all booksellers, district managers, store managers and the Regional Vice President) on the breastfeeding policy and revised customer complaint resolution procedures within forty-five (45) days of the effective date.

PUBLIC NOTICE

Barnes & Noble agrees to display the international symbol of breastfeeding at the entrance of all New York Barnes & Noble stores.

MONETARY RELIEF

Barnes & Noble agrees to pay \$10,000 directly to Rockland County, to support the activities of its Breastfeeding Promotion and Support Program, upon execution of this letter agreement.

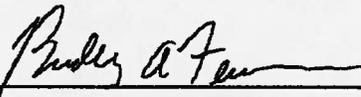
MONITORING

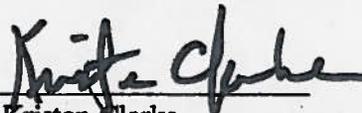
Barnes & Noble agrees to submit an affidavit to our Office within ninety (90) days summarizing the actions taken to implement this agreement. The affidavit shall include a copy of Barnes & Noble's breastfeeding policy and revised customer complaint resolution procedures, as well as documentary evidence that Barnes & Noble has (1) disseminated the breastfeeding policy and revised customer complaint procedures to all New York store employees and managers; (2) trained all New York store employees and managers on the breastfeeding policy and revised customer complaint resolution procedures; and (3) posted the international symbol of breastfeeding at the entrance of all New York Barnes & Noble stores.

The contents of this letter neither constitute nor suggest any accusation or admission of wrongdoing on the part of Barnes & Noble, or any violation of any laws or regulations applicable to Barnes & Noble.

BARNES & NOBLE, INC.

**ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL OF
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Date: July 3, 2014

Date: 7/3/14