



POLICY AND PROCEDURE	
SUBJECT/TITLE:	Lactation Accommodation
APPLICABILITY:	All Staff
CONTACT PERSON & DIVISION:	Jessica Boley, WIC
ORIGINAL DATE ADOPTED:	03/01/2017
LATEST EFFECTIVE DATE:	03/01/2017
REVIEW FREQUENCY:	5 years
BOARD APPROVAL DATE:	N/A
REFERENCE NUMBER:	800-029-P

A. PURPOSE

The intent of this document is to define accommodations and guidelines for breastfeeding mothers who need to express milk for their baby during the work day or want to breastfeed their baby during break times while at work.

C. BACKGROUND

The Affordable Care Act (ACA) was signed on March 30, 2010. Section 4207 of the law amends the Fair Labor Standards Act (FLSA) of 1938 to require an employer to provide reasonable break time for an employee to express breast milk for her nursing child for one year after the child's birth each time such employee has need to express milk. The employer is not required to compensate an employee receiving reasonable break time for any work time spent for such purpose. The employer must also provide a place, other than a bathroom, for the employee to express breast milk. If these requirements impose undue hardship, an employer that employs fewer than 50 employees is not subject to these requirements. The federal requirements shall not preempt a state law that provides greater protections to employees.

D. GLOSSARY OF TERMS

Lactation room-shower room located inside the Canton City Health District (CCHD) or another private place deemed appropriate and agreed upon by supervisor and employee.

E. STANDARD OPERATING GUIDELINES

The Canton City Health District will provide a location and a reasonable amount of time to accommodate employees who are nursing mothers to express breastmilk for up to one year after the child's birth pursuant to state and federal laws.

1. Breastfeeding employees are allowed to breastfeed or express milk during work hours using their normal breaks and meal times. While a baby is not able to accompany the mother to work, if the infant is brought to the office during scheduled break times, the employee may breastfeed instead of pumping. Times may need to be flexible to accommodate employee needs. For time that may be needed beyond the usual break times, employees may use flex or comp time and/or may make up the time as discussed and pre-approved with their supervisors.
 - a. Accommodations
 - i. Employees who wish to express milk during the work period shall keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the company.
 - ii. A private room (not a toilet stall or restroom) shall be available for employees to breastfeed or express milk. The room will be private and sanitary, preferably located near a sink with running water for washing hands and rinsing out breast pump parts, and have an electrical

outlet. If the employee prefers, they may also breastfeed or express milk in their own private offices, or in other comfortable locations agreed upon in consultation with the employee's direct supervisor.

- iii. Employees who work offsite or in other locations will be accommodated with a private area as necessary.
- b. Scheduling
 - i. Employee should determine a schedule with their supervisor to address pumping needs. If there is significant changes to pumping needs, employee shall discuss changes in needs with their supervisor prior to adjustments being made.
 - ii. If multiple employees are in need of the same lactation room (shower room, private office, etc.), they should communicate with each other and their immediate supervisors to determine a schedule.
- c. Milk Storage
 - i. Employees should label all milk expressed with their name and date collected so it is not inadvertently confused with another employee's milk. Each employee is responsible for proper storage of her milk using CCHD refrigerators and/or personal cooler. If stored in a CCHD refrigerator, it must also be placed in a personal cooler/lunch bag.
 - ii. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of.
 - iii. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering.
- d. Maintenance of milk expression areas
 - i. Breastfeeding employees are responsible for keeping milk expression areas clean. Employees are also responsible for keeping the general lactation room clean for the next user. This responsibility extends to both the designated lactation room, as well as other areas where milk expression may occur.
- e. Atmosphere of acceptance
 - i. The CCHD will maintain an atmosphere of acceptance regarding lactation and breastfeeding mothers in the workplace. Breastfeeding will not be a source of discrimination in employment or in access to employment. It is prohibited under this policy to harass a lactating employee or exercise any conduct that creates an intimidating, hostile or offensive working environment. Any incident of harassment of a lactating employee will be addressed in accordance with the CCHD policies and procedures for discrimination and harassment.

F. CITATIONS & REFERENCES

Sect. 4207 REASONABLE BREAK TIME FOR NURSING MOTHERS.

<http://www.ncsl.org/documents/health/ppaca-consolidated.pdf>

Break time for nursing mothers

<https://www.dol.gov/whd/nursingmothers/>

Fact Sheet #73: Break Time for Nursing Mothers under the FLSA



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All Staff
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G. CONTRIBUTORS

The following staff contributed to the authorship of this document:

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H. APPENDICIES & ATTACHMENTS

N/A

I. REFERENCE FORMS

N/A

J. REVISION & REVIEW HISTORY

Revision Date	Review Date	Author	Notes

K. APPROVAL

This document has been approved in accordance with the “800-001-P Standards for Writing and Approving PPSOGFs” procedure as of the effective date listed above.