

# POLICY

## ACCOMMODATION OF NURSING EMPLOYEES DURING WORK HOURS

**SUBJECT:** Accommodation of Nursing Employees during Work Hours

**PURPOSE:** To describe accommodations during work hours for nursing mothers

### **POLICY STATEMENT:**

\_\_\_\_\_ acknowledges the worksite accommodation law in the U.S. Patient Protection and Affordable Care Act enacted in March 2010, which amends the Fair Labor Standards Act (FLSA), and SECTION 1. Title 8, ARTICLE 13.5 Workplace Accommodations for Nursing Mothers in the State of Colorado.

### **PURPOSE**

To ensure that nursing mothers are provided with adequate provisions to express milk during working hours.

### **PROCEDURE**

#### **Lactation Accommodation Provisions**

- **Reasonable Time to Express Milk at Work**

Employees shall be provided reasonable time to express milk while at work for up to two years following the child's birth each time the employee has need to express milk. Employees should use usual break and meal periods for expressing milk, when possible. If additional time is needed beyond the provided breaks, employees may make up the time as negotiated with their supervisors.

- **Private Area for Milk Expression**

Employees will be provided with a private place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public, to express breast milk. The room can be a designated space for lactation. If this is not practical or possible, a vacant office, conference room, or other small area can be used so long as it is not accessible or visible to the public or other employees while the nursing employee is using the room to express milk. The room will:

- Be in close proximity to the employee's work station when possible
- Have a door equipped with a functional lock or, if this is not possible, the room or partition will have a sign advising that the room or location is in use and not accessible to other employees or the public
- Be well lit
- Ensure privacy by covering any windows with a curtain, blind, or other covering
- Contain at a minimum a chair and a small table, counter, or other flat surface
- Include an electrical outlet and nearby access to clean water

No employee shall be discriminated against for breastfeeding or expressing milk during the work period, and reasonable efforts will be made to assist employees in meeting their infant feeding goals while at work. This policy shall be communicated to all new employees during orientation.

#### **Employee Responsibilities**

Nursing employees utilizing lactation support services will:

- Give supervisors notice of the need for lactation accommodations, preferably prior to their return to work following the birth of the child. This will allow supervisors the opportunity to establish a location and work out scheduling issues.