



Break Times for Nursing Mothers Policy

Policy No. C-03¹

The Scope of this policy includes the following individuals:²

- ✓ Employees (including Appointed Officials, Probationary Employees, Full-Time At-Will Employees, Part-Time Employees, Temporary Employees, Civil Service Employees, Teamsters Employees, HPOA, HPSA, and IAFF Employees)

I. PURPOSE

To provide a supportive environment to enable nursing mothers to express breast milk during the work day.

II. POLICY APPLICATION

In recognition of the well documented health advantages of breastfeeding for children and mothers, the City will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's child.

Non-exempt employees needing breaks for lactation purposes may use ordinary paid rest breaks or may take other reasonable break time when needed. The lactation break time, if possible, should run concurrently with scheduled rest and meal periods already provided to the non-exempt employee. If the lactation break time cannot run concurrently with rest and meal periods already provided or additional time is needed for the non-exempt employee, the non-exempt employee may take two additional paid rest periods for lactation purposes. If further break time is needed for lactation purposes, the break times will be unpaid for the non-exempt employees. Where unpaid breaks or additional time are required, the non-exempt employee should work with her

¹ This policy is not to be construed as a contract or an implied contract concerning any employment-related decision or term or condition of employment. The City reserves the right to revise, delete or add to any and all policies, procedures, work rules or benefits stated in this policy at its sole discretion. See Introduction, Administrative Policy No. A-01.

² The relevant definitions for the individuals identified in the Scope of this policy are defined in Introduction, Administrative Policy No. A-01.

supervisor, manager or Human Resources Business Partner regarding scheduling and reporting the extra break time as unpaid.

If a non-exempt employee takes an unpaid lactation break during the work day, the employee may be permitted to make up the amount of time used during the unpaid period either before or after their work shift, if the nature of the job permits this flexibility. If the non-exempt employee does not make up the time, no compensation will be provided for the lost time used during the unpaid lactation break.

Because exempt employees receive their full salary during weeks in which they work and they are not normally required to identify break and meal times, all exempt employees who need lactation breaks do not need to report any extra break time as “unpaid.”

The City will provide employees with the use of a room or a private area, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public (i.e., a room that may be locked). The City will make a reasonable effort to identify a location within close proximity to the work area for the employee to express milk. This location may be the employee’s private office, if applicable.

Employees should discuss with their Human Resources Business Partner the location for storage of expressed milk. Where reasonably possible, the City will provide a refrigerator or other cold storage space for keeping milk that has been expressed. Employees may also provide their own portable small storage unit, as long as it complies with the City’s safety standards, for keeping expressed breast milk cold.

Employees should contact their assigned Human Resources Business Partner to identify their need for a lactation room and to make any other arrangements necessary under this policy.