



VSP-DIR-110

Pregnancy and Nursing

1.0 Purpose

- 1.1 To establish a process by which members may request a modified duty status during or after a pregnancy and to make reasonable accommodations for members to express breast milk for a nursing child.

2.0 Policy

- 2.1 The Vermont State Police shall modify duty status upon request of a member, or when a member is unable to safely perform the essential functions of their regular assignment, as determined by the member or their Division Commander.

A. The department's decision to modify a member's duty status must be based on specific and articulable considerations directly related to the member's essential job functions, which will include consideration of the member's input and requests.

1. Members may perform Special Team functions provided the tasks involved fall within general parameters outlined by this policy.

B. Changes to work rotation and/or shift assignment will be considered upon request by the member.

C. Generally, there will be three classifications of modification:

1. Classification 1

- a. Members will normally operate unmarked cruisers and wear plain clothes.
- b. Duties and responsibilities will be commensurate with those assigned to other plain clothed positions.
- c. Members are not expected to perform patrol functions.

2. Classification 2

- a. Members shall only have in-person contact with complainants, victims, or witnesses, or other members of the public in non-enforcement circumstances.

- b. Member functions are limited to controlled environments including, but not limited to, law enforcement facilities, courts, or child advocacy centers.

3. Classification 3

- a. Functions will generally be limited to those of an administrative or technical nature.
- b. Members may determine whether or not they carry a firearm as a provision of this classification.
 - i. Members may not alternate between carrying and not carrying a firearm without the approval of their commanding officer.

2.2 Any changes of status between classifications must be approved by the Division Commander.

2.3 Movement to and from any classification need not be in progression or in any particular order and will be based on the needs of the member.

2.4 The provisions of this policy are not intended to interfere with members' rights under federal or state law, or under applicable collective bargaining agreement(s).

2.5 While functioning under modified duty status, members will:

- A. Retain the rank of their permanent assignment.
- B. Retain the pay classification and related benefits of the position held in their permanent assignment; and
- C. Adhere to any and all conditions outlined by the Director.

2.6 Modified Duty Status shall have no impact on a member's residency requirements.

3.0 Procedure

3.1 Members shall request modified duty status in writing to the Division Commander through their chain of command.

- A. The request must specify a modification classification from above and should include any additional context or information that the member feels is relevant to the request.

3.2 Supervisors shall:

- A. Ensure that assigned tasks and responsibilities are appropriate for a member's classification.

- B. Promptly communicate any issues or concerns to their commanding officer.
- 3.3 The Department will respond to requests made pursuant to this policy as soon as practical, but within 15 days.
- 3.4 Lactation Breaks
- A. The Department encourages nursing members to provide advance notice of their intent to take breaks at work for the purpose of expressing breast milk to facilitate planning.
 - B. Members assigned to field force operations shall notify dispatch that they will be unavailable for calls for service in advance of their break to express breast milk, and subsequently notify dispatch following the break that they are available.
 - C. The Department shall make appropriate private space that is not a bathroom stall available for the purpose of expressing breast milk.
 - D. During a lactation break, the member shall have a means of communication, such as a phone or portable radio, available to monitor for or be contacted in the event of an emergency.
 - E. Lactation breaks shall not be disrupted, except in the event of an emergency.

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