Department of Health
Policy

Title: Supporting Breastfeeding Employees at Work
Number: 07.061

Procedure: No associated procedure

References:

Applies to: All DOH employees

Contact: Chief Human Resources Officer

Effective Date: September 1, 2014
Review Date: September 1, 2019

Supersedes: DOH Policy 07.061 dated June 1, 2010

Approved: Signed by Jessica L. Todorovich Deputy Secretary for Administrative Operations

Policy Statement:
The Department of Health (department) strives to provide a healthy work environment for its employees. The department supports employees who are breastfeeding as they return to work.

For represented employees the collective bargaining agreements (CBA) supersede specific provisions of agency policies with which it conflicts.

Framework:

Employers are required to protect breastfeeding in the workplace since the passage of the Patient Protection and Affordable Care Act of 2010. Section 7 of the Fair Labor Standards Act requires employers to provide reasonable break time for an employee to express breast milk for her nursing child. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion by coworkers and the public, which may be used by an employee to express breast milk.

Supervisors and managers will support employees who are returning to work and wish to continue breastfeeding. The department will provide a private room to be used for expressing breast milk in each department facility. The department will allow use of breakout rooms and private offices for pumping breast milk. Storing human milk is allowed in department refrigerators intended for employee food storage.

In coordination with their supervisors, breastfeeding employees may flex their work hours to accommodate nursing and/or pumping if the standard breaks and meal periods are not adequate.

A nursing child may be brought to the workplace so an employee can breastfeed during break time; however, the child may not remain at the workplace when not nursing except as provided by DOH policy 07.063 Infants at Work. Security policies apply as they relate to visitors. The employee may nurse their child in a private room or location of their choosing. Breastfeeding is not considered
indecent exposure. This policy shall not be construed to regularly allow children into the workplace except as provided by DOH policy 07.063 Infants at Work.

Guidelines are available in the Building Use Guidelines, Tips and resources are available on the Wellness Gateway.

Review and Approval:

The agency Breastfeeding Workgroup is responsible to coordinate any updates or rescission of this policy or its associated procedure(s) with the Labor Relations Manager in the Office of Human Resources. The Secretary, Department of Health, has full authority to review and approve this policy and associated procedure(s). The Secretary also has the authority to delegate this responsibility.