

## **Breastfeeding & Lactation Guidelines**

**Purpose.** The purpose in publishing these guidelines is to (1) help ensure that UofL is a welcoming and friendly environment for women who are breastfeeding; (2) foster consistency in supervisory and management responses to employees who need time during the work day to express breast milk; and (3) advertise the location of public lactation stations and the workplace accommodations the University will make to support women who are breastfeeding.

### **Federal & State Statutory Provisions Related to Breastfeeding and Lactation.**

- (1) Breastfeeding.** Section 211-755 of Kentucky Revised Statutes provides that a woman may breastfeed her child or express breast milk in any location, public or private, where the mother is otherwise authorized to be. In accordance with this provision, the University of Louisville will not restrict any member of the University community from breastfeeding or expressing breast milk in any location where the individual is authorized to be, regardless of any presumed sensitivity of other members of the University community toward this activity.
- (2) Lactation Support.** Section 4207 of the Affordable Care Act requires employers to provide reasonable break times and private sanitary space for nursing mothers to express breast milk. In accordance with this provision, the University of Louisville will afford faculty and staff appropriate workplace accommodations to support a mother's decision to breastfeed her child.

**Background Information.** When the ACA was originally adopted, the UofL Women's Center, with the support of the Commission on the Status of Women, asked unit administrators to set aside space in their respective units, if possible, where nursing mothers could express breast milk during working hours, if suitable space was not available in the employee's immediate work area. This early inventory is listed below, together with contact information for each room.

**Benefits.** The University of Louisville recognizes that breastfeeding has health benefits for both children and their mothers. Creating a breastfeeding-friendly work environment reduces the risk of long-term health problems for women and children; decreases employee absenteeism; reduces health claims to employers; and increases retention of female employees.

### **Eligibility.**

**Any nursing mother** may request private space and reasonable time away from work to express breast milk. Nursing employees are encouraged to discuss with their supervisors their anticipated frequency and timing of breaks to express milk, as they plan their return to work following the birth of a child.

In similar fashion, supervisors are encouraged to discuss with nursing employees the location and availability of space for expressing milk and the time that will be required for expressing milk.

No supervisor or manager shall discriminate in any way against an employee who chooses to express breast milk in the workplace.

## **Lactation Breaks.**

- The frequency of breaks needed to express breast milk as well as the duration of each break will likely vary from woman to woman.
  - Frequency depends on factors such as the age of the baby, number of breast feedings in the baby's normal daily schedule, and whether the baby is eating solid food. Nursing mothers typically need two to three breaks during an eight hour shift.
  - The act of expressing breast milk alone typically takes about 15 to 20 minutes, but factors such as the location of the space and the amenities nearby (such as proximity to employee's work area, availability of sink for washing, location of refrigerator or personal storage for the milk) can affect the length of break an employee will need to express and store milk.
- Timekeeping Note for Staff Employees: Time away from work for the purpose of expressing breast milk will be construed as constituting all or a part of a staff employee's regular break time, but any excess time away from work for the purpose of expressing breast milk will not be charged to any leave account.
- If a mother is unable to express breast milk while she is away from her baby, she may experience a drop in her milk supply which could result in her being unable to continue nursing her child. The inability to express milk may also lead to an infection. Therefore, an employee should not routinely be required to postpone or reschedule lactation breaks.

## **Lactation Facilities.**

The University will make a reasonable effort to provide appropriate space other than a bathroom in proximity to the employee's work area, for the employee to express milk in private.

- The location may be the place where the employee normally works if there is adequate privacy (for example, the employee's private office or a lockable conference room or another identified space nearby).
- If the space is not a solely dedicated to the mothers' use, it must be available when needed.
- Each room should have an electrical outlet, table and chair, and lock or signage on door prohibiting entry when in use.
- If the employee does not have a private office or there is no appropriate space nearby, they should consult the inventory of public lactation stations available on the Commission of Status of Women website at <http://louisville.edu/cosw/resources-information>.

**Questions or Concerns.** Nursing mothers who feel they have not been afforded appropriate and sufficient accommodation to express breast milk in the workplace may contact Employee Relations in the Office of Human Resources at 502-852-6258.