

Rocky Mountain College

Administrative Policy

SECTION: General

NUMBER: A-001-01-0022

AREA: Miscellaneous

Date: 05/24/2023

SUBJECT: Worksite Nursing Mothers Policy

Date Reviewed: 05/24/2023

I. PURPOSE:

Rocky Mountain College acknowledges the worksite accommodation laws in the Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act) signed into law on December 29, 2022 and effective April 27, 2023, which amends the Fair Labor Standards Act (FLSA) and therefore provides breastfeeding employees the following nursing accommodations:

II. POLICY

Nursing Mothers Accommodation Provisions

Reasonable Time to Express Milk at Work

Employees shall be provided reasonable time to express milk for their nursing child while at work for up to one year following the child's birth each time the employee has need to express milk. The frequency and duration of breaks needed to express milk will likely vary depending on factors related to the nursing employee.

Compensation for Break Time to Pump Breast Milk

Under the FLSA, when an employee is using break time at work to express breast milk they either;

- Must be completely relieved from duty; or
- Must be paid for the break time

Further, when employers provide paid breaks, an employee who uses such break time to pump breast milk must be compensated in the same way that other employees are compensated for break time.

III. GUIDELINES

A 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 expressing milk. 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:

1. Be in close proximity to the employee's workstation when possible
2. Have a door equipped with a functional lock or, if this is not possible, the room will have a sign advising that the room or location is in use and not accessible to other employees or the public
3. Be well lit
4. Ensure privacy by covering any windows with a curtain, blind, or other covering
5. Contain at a minimum a chair and a small table, counter, or other flat surface
6. Ideally 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 current employees and included in new employee orientation training.

Any act found to be intentional that invades a nursing mother's privacy shall be treated as a disciplinary offense and reported to the appropriate manager.

Employer Responsibilities

Rocky Mountain College will:

1. Maintain the cleanliness of the room or location set aside for the use of employees expressing breast milk at work.
2. Notify employees returning to work following the birth of a child of their rights under the national worksite lactation accommodation law in the PUMP Act. This notice may either be provided individually to affected employees or to all employees generally through posting in a central location.

Employee Responsibilities

Breastfeeding employees utilizing nursing support services will:

1. Give supervisors advance notice of the need for expressing breast milk 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.
2. Maintain the designated area by wiping the pump (if provided) and surfaces with microbial wipes so the area is clean for the next user.

3. Ensure the safekeeping of expressed breast milk stored in any refrigerator on the premises. Breast milk can be stored in a general company refrigerator, or in the employee's personal cooler.

IV. REVIEW AND RESPONSIBILITIES

Responsible Parties: Human Resources Department

Review: As deemed as appropriate

V. APPROVAL

Approved:  Date: 6/5/21
President