Policy 4.91
Lactation Support

Responsible Official:  VP for Human Resources
Administering Division/Department:  Employee Relations
Effective Date:  May 01, 2013
Last Revision:  May 09, 2013

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Overview

Emory’s lactation support policy serves two important goals of the institution. First, given the many studies outlining the benefits of breastfeeding to mother and child, it is vital to provide new mothers with reasonable time and a safe location in which to express breast milk. Second, this policy contributes to Emory’s goal of providing a family-friendly work and school environment. An employee who anticipates the need for a lactation room should inform her supervisor as far in advance as possible so that a room can be identified or plan put in place to accommodate the request in a timely manner. Supervisors will work with their building manager to identify room(s) available and arrange access.

Policy Details

In accordance with The Patient Protection and Affordable Care Act, which amended section 7 of the Fair Labor Standards Act (“FLSA”), Emory employees must be allowed reasonable break time to express breast milk for a nursing child. Emory must also provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.

Emory provides lactation rooms across the institution that may be used by nursing mothers, including staff, faculty, students, and visitors. The Center for Women at Emory maintains a list of lactation room locations at http://womenscenter.emory.edu/Programs/nursing_mothers/index.html. However, some employees may find it more convenient to use an alternative private space and should consult their supervisor about an appropriate location.

Coverage and Compensation

This policy applies to non-exempt and exempt employees.

Employers are not required under the FLSA to compensate nursing mothers for breaks taken for the purpose of
expressing milk. However, where supervisors already provide compensated breaks, an employee who uses that break time to express milk must be compensated in the same way that other employees are compensated for break time.

**Time and Location of Breaks**

Supervisors are required to provide a reasonable amount of break time to express milk as frequently as needed by the nursing mother. The frequency of breaks needed to express milk as well as the duration of each break will likely vary. Supervisors should keep in mind that expressing breast milk may be a physical necessity for some mothers. Thus, supervisors should make every reasonable accommodation to support the needs of nursing mothers. Such accommodation should include permitting mothers who need to express breast milk to visit lactation rooms or use a private room during normal break times or meal times, and providing reasonable unpaid time (or use of sick time). While a supervisor may require that the lactation break time run concurrently with break times already provided, supervisors should be flexible when possible in allowing nursing mothers to select appropriate times. If a suitable room is not available in the employee’s building, supervisors must allow adequate and additional time for travel to and from the employee’s work location.

A bathroom, even if private, is not a permissible location for breastfeeding. The location provided must be functional as a space for expressing breast milk. If the space is not dedicated to the nursing mother’s use, it must be available when needed in order to meet the statutory requirement. A space temporarily created or converted into a space for expressing milk or made available when needed is sufficient provided that the space is shielded from view, has electrical outlets and seating, and is free from any intrusion from co-workers and the public. When sound is a concern, an enclosed cubicle without a ceiling may not be an acceptable space. An ideal lactation space is dedicated, private, lockable, includes electrical outlets and the ability to wash hands and pump parts, provides refrigeration, and is a relaxing space where a mother will feel comfortable.

**Lactation Rooms**

Lactation rooms are provided throughout Emory’s campuses. Some rooms may also be used for other physical/medical needs, such as insulin shots for diabetics. For questions or complaints about a particular lactation room, contact the manager of that room, listed here: [http://womenscenter.emory.edu/Programs/nursing_mothers/index.html](http://womenscenter.emory.edu/Programs/nursing_mothers/index.html)

Not all lactation rooms are equipped with pumps. Lactation room users must clean up the room and ensure that all pumps provided by Emory are cleaned thoroughly and properly after each use. This will prevent contamination and the transmission of germs and illness. Nursing mothers may need to provide their own supplemental equipment in order to connect to the pumps provided by Emory.

Since 2005 the Facilities Management Division of Campus Services has required that all new building programs and any design plans for new capital buildings or major renovations must include consideration of a lactation room in each project. Although new construction projects and major renovations may not ultimately include a lactation room, advance consideration of the appropriateness for such rooms is required in the planning process.

**Related Links**

- Current Version of This Policy: [http://policies.emory.edu/4.91](http://policies.emory.edu/4.91)
- Lactation Support ([http://www.womenscenter.emory.edu/services_resources/Nursing%20Nest/index.html](http://www.womenscenter.emory.edu/services_resources/Nursing%20Nest/index.html))

**Contact Information**

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<tr>
<th>Subject</th>
<th>Contact</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Campus Services</td>
<td>Customer Service</td>
<td>404-727-7463</td>
<td><a href="mailto:cscsc@emory.edu">cscsc@emory.edu</a></td>
</tr>
<tr>
<td>Administering compensation &amp; time allowed for breaks</td>
<td>Employee Relations</td>
<td>404-727-7625</td>
<td><a href="mailto:sgonza4@emory.edu">sgonza4@emory.edu</a></td>
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<td>Lactation Support</td>
<td>Center for Women</td>
<td></td>
<td><a href="http://womenscenter.emory.edu/Programs/nursing_mothers/index.html">http://womenscenter.emory.edu/Programs/nursing_mothers/index.html</a></td>
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