



City of Columbus
Department of Human Resources
77 N. Front Street
Columbus, Ohio 43215

Policy on Lactation Breaks to Support Nursing Employees and Healthy Babies

The intent of this policy is to support the Mayor's Initiative for healthy babies and to promote compliance with the Mayor's Executive Order to support breastfeeding in the workplace. This also ensures compliance with the Patient Protection and Affordable Healthcare Act and the Fair Labor Standards Act. The goal of this policy is to optimize the work environment for nursing employees who need to express breast milk at work for their infants.

I. POLICY

For up to one year after the child's birth, the City of Columbus will provide all employees, interns, and volunteers reasonable break time(s) for a nursing employee to express breast milk in a location, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public.

Under no circumstances shall a City employee:

- A. Discriminate or harass a breastfeeding employee for their need to express breast milk;
- B. Direct a breastfeeding employee to breastfeed their baby or pump in the bathroom.

II. PROCEDURE

A. Eligibility and Use.

After identifying as a nursing employee who has a need to express breast milk during the work day, a nursing employee will provide their supervisor and/or department/division human resources with the date of the child's birth, and the approximate times during the workday when the nursing employee anticipates needing to express breast milk. The nursing employee should keep their supervisor and department/division human resources apprised of any needs for schedule changes for the purposes of expressing breast milk throughout the time period they remain a nursing employee.

B. Reasonable Break Time.

1. The City of Columbus has a flexible approach to scheduling breaks to accommodate changes in the nursing employee's need to express breast milk.
2. In accordance with any applicable collective bargaining agreement, nursing employees may use their normal meal and break times, whether paid or unpaid, to express breast milk. For time that may be needed beyond the normal meal and break times, a nursing employee may use eligible accrued paid or unpaid leave or, with the approval of their supervisor, may flex the time. Where operational needs allow, departments/divisions are encouraged to cooperate and be flexible in scheduling meal and break times to accommodate a nursing employee's need to express breast milk.
3. In departments/divisions where operational needs do not allow for scheduled meal or break times (such as in the Division of Police, Division of Fire and other 24 hour operations), department/division human resources personnel and nursing employees should work together to

determine when and how nursing employees may take reasonable break times that accommodate the needs of the nursing employee and is consistent with operational needs. In accordance with any applicable collective bargaining agreement, if a paid meal and/or break time is provided, the nursing employee may use the paid meal and/or break time. For time that may be needed beyond the meal or break time the nursing employee may use eligible accrued paid, or unpaid leave.

4. Authorization for a flexed schedule shall be documented so that daily or weekly work hours are maintained. If an employee and supervisor opt to flex their schedule to accommodate longer or additional lactation breaks, the flex time will not be considered “work time” such that the nursing employee would be eligible for daily or weekly overtime.

III. NURSING EMPLOYEE’S RESPONSIBILITIES

- A. Communication with Supervisors. Nursing employees shall keep supervisors and/or department/division human resources staff informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the nursing employee and the City. Nursing employees are responsible for accurately accounting for their time.
- B. Compliance. Nursing employees are expected to comply with the City Central Work Rules, the provisions of any applicable collective bargaining agreement and any applicable department or division policies and procedures. Nursing employees should report any problems or concerns to their supervisor or department/division human resources staff.
- C. Breastfeeding Equipment. Nursing employees are responsible for bringing their personal equipment to use during the workday.
- D. Maintenance of Locations used to Express Breast Milk. Nursing employees are responsible for keeping locations used to express breast milk clean. Employees are also responsible for keeping the general room clean for the next user. This responsibility extends to both designated lactation areas, as well as other areas where expressing breast milk will occur.
- E. Breast Milk Storage. Nursing employees are responsible for proper storage of breast milk, such as using a personal cooler or, if available, a City provided refrigerator. Expressed breast milk should be labeled with the nursing employees name and date expressed.
- F. In the Event of Multiple Nursing Employees. When more than one nursing employee needs to use the same room for expressing breast milk, employees should communicate with each other to negotiate those break times that are most convenient and/or best meet their needs.
- G. Resources and Education. Additional materials and resources are available on the Healthy Columbus website, www.hr.columbus.gov/healthycolumbus.

IV. LOCATION USED TO EXPRESS BREAST MILK

- A. Locations. The City has multiple places available for nursing employees to use for the purpose of expressing breast milk. Most City buildings have at least one room at or near work spaces that could be used for this purpose. A nursing employee could use their office, an empty or unused office, or a conference room, provided that the location meets privacy requirements. For nursing employees who

are not in a standard office setting, a map and listing of City buildings with spaces that could be used to express breast milk is available on the Healthy Columbus website.

B. Requirements. The City requires that nursing employees have access to a location to express milk at work that meets the following privacy requirements. The location must be:

1. Shielded from view. This includes but is not limited to being free from in-person observation or by a provided or required video system, including a computer camera, security camera, or web conferencing platform, when they are expressing breast milk, regardless of the location they are working from;
2. Free from intrusion from coworkers and the public. The room must be equipped with either locked doors, or displayed signs for when the space is in use;
3. Access to seating and a flat surface, other than a floor, to place the equipment;
4. Available each time it is needed by the employee.

C. Recommendations. It is recommended that a space used for expressing breast milk would have the following items:

1. A working electrical outlet;
2. Reasonable proximity to the nursing employee's work area;
3. Reasonable proximity to a clean sink;
4. Reasonable proximity and/or access to a communal refrigerator.

Note: These locations need to be available whenever a nursing employee has a need to express breast milk, but do not need to be set aside exclusively as a lactation area. It is not acceptable to expect or instruct a nursing employee to express breast milk in a bathroom.

V. QUESTIONS

Any questions regarding eligibility, reasonable break times, or areas used for expressing breast milk should be referred to department/division human resources.