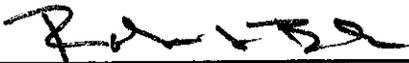


NURSING MOTHERS POLICY

POLICY NUMBER: 200-12	EFFECTIVE DATE: 02/17/2011	APPOINTING AUTHORITY APPROVAL: 
REPLACES POLICY DATED: New Issue	AUTHORITY: ORC 124.09; Fair Labor Standards Act; DAS Directive no. HR-D-16	

I. PURPOSE

The purpose of the Nursing Mothers policy is for the protection, promotion and support of breastfeeding health for mothers and babies. The policy will permit Department of Administrative Services (DAS) employees (hereinafter "nursing mothers") to take reasonable unpaid breaks in order to express breast milk in compliance with the Fair Labor Standards Act ("FLSA"), 20 U.S.C. 207(r). Nursing mothers need ongoing support in the workplace, and DAS is committed to supporting mothers who choose to breastfeed their infants by enabling nursing mothers to express and collect breast milk during working hours.

II. GENERAL

- A. Nursing mothers can express breast milk at a "reasonable break time" and/or lunchtime for one year after the child's birth, each time the employee has a need (29 U.S.C. 207(r)(1)(A)). Flexibility regarding timing of these scheduled breaks or additional time required will be discussed with the Supervisor or Manager. Nursing mothers may use flexible work schedules or some form of accrued leave (i.e., vacation, personal, or compensatory time) for their "reasonable break time". Sick time cannot be used.
- B. If a nursing mother chooses not to flex her schedule and has no form of accrued paid leave available, she will be responsible to make up any additional time taken or to take unpaid leave each time she has the need to express breast milk. Unpaid leave shall not be counted as hours worked and may impact other employment benefits, such as retirement contributions.

III. NURSING MOTHERS

A. ELIGIBILITY

1. After identifying herself as a nursing mother who has a need to express breast milk throughout the work day, the nursing mother shall provide her supervisor or human resource contact with the date of the child's birth, the approximate times during the workday when she anticipates needing to express breast milk, and the method by which she prefers to account for the time.

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2. The nursing mother should keep the agency apprised of any needs for schedule changes for the purposes of expressing breast milk throughout the time period she remains a nursing mother.

IV. LACTATION AREA

1. The lactation area will have a door that is able to be securely locked from the inside. The lactation area will be located in the nursing mothers work area, provided the work area is private, shielded from view and is free from intrusion from coworkers and the public. The area will be an empty or unused office or a lounge area. The lactation area cannot be in the restroom.
2. The designated space or "lactation area" in each work location will:
 - a. Be clean, safe and sanitary;
 - b. Be equipped with an electrical outlet;
 - c. Be located in reasonable proximity to the nursing mothers work area;
 - d. Be located in close proximity to a clean sink;
 - e. Have comfortable seating and a table or flat surface to hold the breast pump; and
 - f. Have a sign that says "DO NOT DISTURB" for when the room is in use as a lactation area.
3. The employer is not required to designate a chosen location exclusive to being a lactation area. However, the location must be available as a lactation area whenever the nursing mother has the need to express breast milk.
4. Nursing mothers will be responsible for the storage of the expressed milk. The milk may be stored in the refrigerator provided and must be labeled with the employee's name. To ensure safety of stored breast milk, it is recommended that the container used to store the milk be sealed in a plastic bag to prevent contamination.

V. ENFORCEMENT

- A. Compliance with the Fair Labor Standards Act, Ohio Revised Code 124.09, Ohio Administrative Code and any applicable collective bargaining agreements shall be maintained.

VI. REVISION HISTORY

Date	Description of Change
02/17/2011	Original Policy Issued