

Human Resource Manual

	Policy Name	Lactation Support
	Policy Number	HR 0625
	Date this Version Effective	February 2014
	Responsible for Content	Human Resource Division

I. Description

This policy describes UNC Health Care's support to working mothers by providing lactation support in the workplace following the birth of a child.

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II. Rationale

This policy complies with the Patient Protection and Affordable Care Act (“PPACA”), signed into law on March 23, 2010. This law amended Section 7 of the Fair Labor Standards Act (FLSA) and does not apply to salaried employees. This policy supports the wellness and health of UNC Health Care employees. Lactation support is beneficial to the working, nursing mother and her child as well as to employers by decreasing medical expenses, reducing absenteeism, and increasing employee retention.

III. Policy

UNC Health Care will provide space, privacy, and time, for up to one year after a child’s birth, for nursing mothers to express breast milk during their work shifts. Hourly employees (subject to FLSA) may use their meal breaks and other breaks to express milk. In accordance with the regulations of this act, any time period provided to others for a “paid” break must also to be given to nursing mothers (typically two 15-minute breaks per 8-hour shift). If time is needed beyond the regularly scheduled paid break times for expressing breast milk, supervisors and managers may allow these employees to use paid leave or unpaid time for this purpose. If the department does not provide regularly scheduled paid break times for its FLSA subject employees, supervisors and managers shall allow employees expressing breast milk to use paid leave or unpaid time for this purpose.

A. Employee Responsibilities:

- Upon returning to work, the employee is required to meet with her immediate supervisor to discuss a plan for utilizing breaks to express breast milk. Employees and supervisors must schedule breaks to meet both the employee’s needs and the department’s operational needs for patient care.
- Employees are responsible for storage of the expressed breast milk.
- Employees must ensure that all breaks are authorized in advance by the supervisor, including breaks used to express breast milk.

B. Supervisor/ Manager Responsibilities:

- Supervisors may require employees to sign in and sign out during these breaks for purposes of tracking leave to ensure appropriate use of either PTO or unpaid leave when needed beyond regularly scheduled paid break times.
- The supervisor will discuss designated areas where the employee can express milk.
- Supervisors should consider the proximity of the designated area to employees' work areas and should consider the distance of the designated area in relation to a source of running water. Designated areas may not be a restroom or other common area. Designated areas should have a door that can be secured or locked, adequate lighting and seating, and electrical outlets for pumping equipment.
- Supervisors and managers are responsible for administering this policy according to the guidelines found herein. This policy is governed by federal regulations which must be adhered to for compliance. Failure to appropriately follow this policy may result in corrective action for the employee or the supervisor/manager, up to and including dismissal.
- [Key talking Points for lactation support.](#)

IV. Related Policies

- A. [Attendance and Tardiness Policy](#)
- B. [Corrective Action Policy](#)
- C. [FLSA Exempt Employees](#)