



NOBLE

Expressing Breast Milk in the Workplace

FLSA - Section 4207 of the Patient Protection and Affordable Care Act
Public Law 111-148 ("Affordable Care Act")
Illinois The Right to Breastfeed Act

Did you know?

- 73.9% of mothers breastfed at some point
- 43.4% were still breastfeeding at 6 months of age
- 22.7% were breastfeeding at 1 year of age
- 33.1% were exclusively breastfed through 3 months of age
- 13.6% were exclusively breastfed through 6 months of age

Δ 2010 – Center for Disease Control

**Your HR Team
We're Here to Help**

Recently an employee returning from maternity leave asked a very important question – What are my rights in regards to expressing milk in the workplace? According to the Department of Labor, which provides guidelines for employers to comply with the Patient Protection and Affordable Care Act (in addition to Illinois' The Right to Breastfeed Act), employers are responsible for providing reasonable break times for an employee to express breast milk.

What do we need to do for our employees?

- Provide reasonable breaks for the employee to express milk (*for nonexempt(hourly) employees this time can be unpaid – required unpaid meal breaks will still need to be observed*)
- Provide a place to express milk other than a bathroom. The place should be shielded from view and free from intrusion from coworkers and the general public.

If you know your employee is going out on maternity leave or returning from maternity leave – take the time to talk with the employee about anticipated needs for her return. Consider the following when discussing the logistics:

- A nearby sink with running water for the employee to use to wash before and after pumping
- Time to retrieve and setup the pump and supplies; and the efficiency of the pump (employees using different pumps may require more or less time)
- The time it takes to walk to and from the space and applicable wait time for the room being in use
- The time it takes for the employee to store her milk either in a refrigerator or personal cooler (*Providing a refrigerator is not required*)

Keep in mind that you are not expected to be an expert and you may be thinking - *How can I accommodate breast expressing in a limited school day? or I have limited space – how can I provide a specific place that's safe and sanitary for my employee to express milk?*

We've worked through this type of situation before so feel free to reach out to your fellow principals to see if they have experienced this situation and how the employee was accommodated and/or reach out to your HR Team – we can share with you best practices and how we have addressed similar situations across Noble.