



Policy Title: Lactation Accommodation

Policy Number: BU-PP 416

Date Issued: June 1, 2014

Responsible Executive: Vice President & Chief
Human Resources Officer

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Responsible Office: Human Resources

Lactation Accommodation BU-PP 416

Policy Statement

In recognition of the well-documented health advantages of breastfeeding for infants and mothers, Baylor University (“University”) provides a supportive environment to enable breastfeeding faculty, staff, and student employees to express their milk during work hours.

Reason for the Policy

This policy establishes a “Mother-Friendly” employee worksite lactation support program that creates a work environment that is supportive of lactating mothers and encourages breastfeeding of their children for up to three years following their birth. This policy provides employees with reasonable break times and a private place, other than a bathroom, to express milk. This policy is also intended to comply with legal requirements, to include serving as notice of lactation opportunities as required by various state laws.

Individuals/Entities Affected by this Policy

All Baylor University employees

Exclusions

NONE

Related Documents and Forms

University Policies and Documents

[Overtime Pay](#)

[Non-Compensated Leaves of Absence](#)

1. Lactation Accommodation (BU-PP 416)

[Family and Medical Leave Act \(FMLA\)](#)
[Work Hours and Schedules](#)
[Sexual and Interpersonal Misconduct](#)
[Civil Rights](#)

Other Documents

[Nursing Mother Rooms – Campus Map](#)

Fair Labor Standards Act, 29 U.S.C. § 207(r) as amended by the *Patient Protection and Affordable Care Act (ACA)* (see also Department of Labor Fact Sheet: [Break Time for Nursing Mothers](#)) and as amended by the *Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act)* (see also Department of Labor Fact Sheet: [FLSA Protections for Employees to Pump Breast Milk at Work](#))

Texas [Health and Safety Code Chapter 165 – Breastfeeding Rights and Policies](#)

Employees who work outside of Texas in states or municipalities which have laws on lactation are encouraged to contact HR for any information or requests associated with those laws.

Contacts

Subject	Contact	Telephone	Office email/web site
Policy Questions	Human Resources	254-710-2000	https://www.baylor.edu/hr/askHR@baylor.edu

Requesting a Lactation Accommodation

It is the responsibility of the faculty, staff member, or student employee to request the lactation accommodation. The request for the accommodation should be provided to the supervisor and/or Human Resources within a reasonable timeframe that allows adequate opportunity to establish an appropriate location and schedule.

Employees who telework are eligible to take pump breaks under the FLSA on the same basis as other employees.

Program Components

Time and Pay

Baylor accommodates breastfeeding mothers for up to three (3) years following birth of the child after they return to work.

The supervisor must grant the request of the employee each time there is a request to express the milk. A supervisor may not deny an employee a needed break to pump.

Work schedule and work pattern flexibility will be provided to accommodate a reasonable break time for faculty and staff to express breast milk. While in

general this may require two to three lactation breaks a day, scheduling will be arranged on a case-by-case basis to accommodate the milk expression needs of the faculty or staff member. A reasonable break time for expressing milk is generally considered to be between 30-45 minutes. The break time must, if possible, run concurrently with break time already provided.

Hourly rate employees (non-exempt) will be paid for the break time provided to accommodate a request to express breast milk.

Space and Storage

Baylor University shall provide a private, accessible area, other than a bathroom, that is shielded from view and free from intrusion from colleagues and the public, for the purpose of expressing breast milk each time such faculty or staff member needs to express the milk.

Faculty and staff may use, when available, the dedicated lactation rooms designated for the purpose of expressing breast milk and which include the following:

- A locking door, an electrical outlet, a clean work surface, and comfortable chair
- A safe, clean water source and sink in close proximity for washing hands and cleaning breast pump equipment

Employees may store their expressed milk in their own personal coolers with ice pack or in the shared break room refrigerator space, if available.

Where dedicated space is not feasible, Baylor University will provide a mixed-use space for lactating mothers. In cases such as the latter, lactating mothers will have priority over all other non-business/non-educational uses of the space, otherwise an alternative location will need to be identified.

Alternatively, faculty and staff may choose to use their private office or other space, identified in consultation with her supervisor.

Faculty, staff, and student employees may register concerns with regard to the implementation of this policy to the attention of Baylor University Human Resources.

Tolerance

A supportive, respectful environment includes a workplace that does not tolerate comments or actions that may dissuade lactating mothers from taking the time necessary for milk expression. Baylor University specifically prohibits the following:

3. Lactation Accommodation (BU-PP 416)

- Adverse employment actions of any kind as a result of time used for lactation
- Acts of discrimination or retaliation against lactating mothers or those who may become lactating mothers
- Disapproving comments or criticisms of faculty, staff, and student employees who use time for lactation
- Jokes, comments, or ridicule that may result in embarrassment for lactating mothers or other faculty, staff, or student employees

Breastfeeding in Public Spaces by Visitors

In accordance with Texas Health and Safety Code § 165.002, Baylor University recognizes that a mother is entitled to breastfeed her baby in any location in which she is otherwise authorized to be. Baylor University faculty and staff shall welcome clients/customers who are mothers who want to breastfeed. Signs may be posted in customer service areas to notify customers that private areas are available for breastfeeding. Mothers may also breastfeed in any location within the client/customer area. All faculty and staff members will support the needs of breastfeeding mothers in this regard.