

Policy:	108.02A Lactation Breaks
Section and Chapter:	Human Resources – Standards of Conduct for Employees
Type:	Administrative Directive
Last Revision Date:	03/30/2022

ADMINISTRATIVE DIRECTIVE

In compliance with the Fair Labor Standards Acts (FLSA), the City of Denton provides a supportive environment, with reasonable break time and appropriate facilities, to accommodate any employee desiring to express breast milk for the employee’s nursing child (29 USC § 207; 25 Tex. Admin. Code § 31.1).

Employees who wish to breastfeed or express milk in the workplace need to keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the City. The following guidelines will be used:

I. Lactation Breaks

A nursing employee shall be allowed to breastfeed or express milk in the workplace using the time allotted for their normal breaks and mealtime for up to one year after the child’s birth. A nursing employee shall be allowed to use this allotted time at their discretion and with notification to their supervisor. A departmental policy may specify how notification is to be provided prior to taking such a break and that such breaks may be reasonably modified in order to maintain continuity of department operations (e.g. public safety operations).

For time exceeding an employee’s normal breaks and mealtime, the employee may make up the time as agreed upon with their supervisors or use accrued leave time, as appropriate. Before utilizing any accrued leave time, supervisors should contact the Director of Human Resources or their designee.

II. Private Location

An appropriate room will be provided for nursing employees where the employee can nurse their infant who may be brought in during the employee’s mealtimes or breaks or to express breastmilk to be stored for later use.

The room will:

- Be a private area for breastfeeding or expressing milk (but not a toilet stall or restroom) located in an area where an infant would not be distracting to other employees or operations. The location must be shielded from view and free from intrusion from co-workers and the public.

- Have accessible electrical outlets for electric breast pump use and a sink within the building with a clean, safe water source for hand washing and rinsing out breast pump equipment.
- Will contain a comfortable chair with arms for nursing.

If needed, scheduling will occur to ensure that all those needing the room will have the opportunity to use it.

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

If employees prefer, they may also breastfeed or express milk in their own private offices or in other comfortable locations agreed upon in consultation with the employee’s supervisor and/or the Human Resources Department.

Nursing employees are responsible for keeping lactation break areas clean and sanitary.

III. Milk Storage

Expressed milk can be stored in the employee’s personal cooler or an employee will have access to store expressed milk in a designated refrigerator/freezer in the workplace. Employees should provide their own spill-proof containers, clearly labeled with their name and date, and employees shall remove such containers when their work day or shift ends. Those using a City-owned refrigerator are responsible for keeping it clean.

IV. Staff Support

Supervisors are responsible for informing pregnant and nursing employees about this directive, and to direct employees to the Human Resources Department to discuss processes and practices that will help facilitate each employee’s infant nursing goals. It is expected that all employees will assist in providing a positive atmosphere of support for nursing employees. Supervisors are prohibited from discriminating against employees who have a need to breastfeed or express milk.

REFERENCES

- None

REVISION HISTORY

Revision Date	Policy Owner	Summary
03/30/2022	S. Kuechler (HR)	• Revisions and Updates to Admin. Directive, approved by S. Hensley on 3/26/2022

11/19/2018	S. Lang (HR)	• Revisions and Updates to Admin. Directive, approved by T. Hileman 11/19/2018
11/08/2016	HR	• Initial Effective date of Admin. Directive