

	City of Cedar Park Human Resources Policy Manual		
	Worksite Lactation Leave		
	Number: E-12	Revision: 0	Effective Date: 5/10/2018

1.0 Policy

The City has established this policy in compliance with the Texas Government Code Chapter 619, as amended, and the Federal Fair Labor Standards Act, 29 U.S.C. Section 207, as amended, related to an employee’s right to express breast milk in the workplace. The City provides its employees with a supportive environment and reasonable accommodations to enable breastfeeding employees to express their milk during work hours for up to one year after the child’s birth.

2.0 Procedure/Rule

- 2.1 Eligibility. An employee wishing to avail themselves of this benefit is required to give their department reasonable notice so that a schedule can be arranged and a location identified, as appropriate. Preferably, the employee will provide notice prior to returning to work.
- 2.2 Reasonable Break Time. A reasonable break time shall be an amount of time sufficient to allow the employee to express breast milk, including the time necessary to travel to and from the designated lactation room or location.

The number of breaks an employee will need to take for breast milk expression purposes varies depending on the amount of time the employee is separated from the nursing infant and the employee’s physical needs. Supervisors will work individually with employees to provide flexibility in their schedules so they can take a break in the morning and afternoon to express their milk, or as otherwise agreed to between the City and employee.

- 2.3 Reasonable Efforts and Privacy. The City will provide a private place, other than a bathroom, that is accessible to the employee, shielded from view, and free from intrusion from other employees and the public where the employee can express breast milk. The lactation room or space provided will be functional as a space for expressing breast milk and provide convenient access to a clean, safe water source or sink for hand-washing and rinsing out of equipment. If the lactation room or space is not dedicated to the breastfeeding employee’s use, it will be available when needed in order to meet the statutory requirements of the Department of

Labor/FLSA regulations. The Department Head and Human Resources Director will work with the employee to designate an appropriate lactation room or space.

- 2.4 Employee Responsibilities. Employees who wish to express their milk during the work period shall keep supervisors informed of their needs so that appropriate arrangements can be made to satisfy the needs of both the employee and the City.

Breastfeeding employees are responsible for keeping the lactation room or space clean for the next user. This responsibility extends to both designated lactation rooms or spaces, as well as other areas where expressing of milk occurs.

Employees may use any City employee refrigerator to store expressed milk. Employees should label all expressed breast milk with their name and collection date so that it is not inadvertently confused with another employee's expressed milk. Each employee is responsible for proper storage of their expressed milk. The employee must store all expressed milk in closed containers and must take the expressed milk home at the end of each work day. The City is not responsible for ensuring the safekeeping of expressed milk stored in any refrigerator on City premises.

- 2.5 Compensation for Breaks. The City is not required to compensate employees for breaks taken for the purpose of expressing breast milk. However, the City will compensate employees for breaks in accordance with the *Wage and Hour Administration* policy.

- 2.6 Non-Discrimination. The City shall not discriminate in any way against an employee who chooses to express breast milk in the workplace. Encouraging or allowing a work environment that is hostile to the right of breastfeeding employees to take leave for the purpose of expressing breast milk is strictly forbidden, and any employee violating this provision will be subject to disciplinary action, up to and including termination of employment.