



## ADMINISTRATIVE POLICIES AND PROCEDURES

**Policy ID: Human Resources**  
**Subject: Right to Express Breast Milk in the Workplace**  
**Creation Date: August 31, 2015**  
**Revision Date: April 27, 2017**  
**Prepared By: Human Resources Department**  
**Approved By: City Manager**  
**Legal Review: Elizabeth Ruhmann**

### **Right to Express Breast Milk in the Workplace Policy—Worksite Lactation Support Program**

#### **Purpose**

In recognition of the well-documented health advantages of breastfeeding for infants and mothers, it is the policy of the City of El Paso to provide its employees with a supportive environment and reasonable accommodations to enable breastfeeding employees to express their milk during work hours. The City intends to support every woman who wishes to continue to express their breast milk for their nursing child for up to one year after the child's birth. Additionally, the Department of Public Health-WIC Program is available to provide support and guidance, including the provision of educational materials and breastfeeding support, to enhance this City-wide program.

#### **I. Eligibility**

Breastfeeding employees may request reasonable time away from work to express breast milk.

#### **II. Guidelines**

##### **A. Notice**

1. The City shall provide employees with notice of this policy and their right to take leave for the purpose of expressing breast milk. This policy shall be communicated yearly to all current employees and included in new employee orientation. Supervisors are responsible for informing pregnant and breastfeeding employees about the worksite lactation support program, and for negotiating practices that will help facilitate each employee's infant feeding goal.
2. An employee wishing to avail herself of this benefit is required to give her department reasonable notice (preferably, the breastfeeding employee provides notice prior to returning to work) so that a schedule can be arranged and a location identified, as appropriate.

##### **B. Reasonable Break Time**

1. 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.

2. The number of breaks an employee will need to take for expression purposes varies depending on the amount of time the employee is separated from the nursing infant and the mother'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.
3. Upon election of the employee, a break time may run concurrently with regularly scheduled paid break or meal periods.

**C. Reasonable Efforts and Privacy**

1. The City has a designated lactation room at City Hall. When more than one breastfeeding employee needs to use the designated lactation room, employees can use the sign-in log provided in the room to negotiate milk expression times that are most convenient or best meet their needs.
2. In the event that a lactation room is unavailable or impractical, the City will make reasonable efforts to provide a suitable private room or location that is in close proximity to the employee's work area, such as a vacant office or other available room, where they can comfortably express their milk.
3. The room or location provided for breast milk expression will be a private (non-bathroom) and accessible location that is free from intrusion. The room or location will provide convenient access to a clean, safe water source/sink for hand-washing and rinsing out of equipment.

**D. Employee Responsibilities**

1. 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.
2. Breastfeeding employees are responsible for keeping the lactation room clean for the next user. This responsibility extends to both designated milk expression areas, as well as other areas where expressing milk occurs.
3. Employees may use any City employee refrigerator to store expressed milk. Employees should label all milk expressed with their name and collection date so that it is not inadvertently confused with another employee's milk. Each employee is responsible for proper storage of her milk. The employee must store all expressed milk in closed containers and must take the expressed milk home with her each evening. The City is not responsible for insuring the safekeeping of expressed milk stored in any refrigerator on City premises.

**E. 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 nursing mothers to take leave for the purpose of expressing breast milk is strictly forbidden. Appropriate action will be taken to enforce the rights guaranteed employees under this policy.

**APPROVED BY:**

*Tomas Mack for*

**Tomas Gonzalez, City Manager**

**DATE:**

*5/14/2017*