

# WASHINGTON COUNTY POLICY

## EXPRESSION OF MILK IN THE WORKPLACE

### I. PURPOSE

The purpose of this policy is to provide a private location and unpaid rest periods to lactating employees to express milk.

### II. SCOPE

This policy applies to all female Washington County employees with children 18 months old or younger, including employees in regular, probationary, and temporary status.

### III. POLICY STATEMENT

Washington County supports breastfeeding mothers in the workplace. The Washington County Expression of Milk in the Workplace policy provides unpaid rest periods and a private location to lactating employees for the purpose of expressing breast milk. The policy is in accordance with the Fair Labor Standards Act (FLSA), Oregon Administrative Rules (OAR 839-020-0051) and the Oregon Revised Statutes (ORS 653.077).

### IV. DEFINITIONS

- **Expression of milk:** initiation of lactation by manual or mechanical means; does not include breastfeeding
- **Private location:** a place, other than a public restroom or toilet stall, in close proximity to the employee's work area, concealed from view, and without intrusion by other employees or the public
- **Reasonable rest period:** no less than 30 minutes each time an employee has the need to express milk
- **Public restroom:** restroom freely available for use by employees or the general public that does not include an attached lounge or room that allows an employee to express milk concealed from view and without intrusion by other employees or the public
- **Close proximity:** within walking distance from the employee's work area and does not appreciably shorten the rest or meal period.

### V. PROCESS AND PROCEDURES

- a. The employee shall provide reasonable notice (verbal or written) to their supervisor that she intends to breastfeed her baby and will require arrangements to be made regarding a private location and a modification to work schedules to accommodate the need to express breast milk. The notice will allow time for the supervisor to make necessary preparations for the employee prior to her return to work following childbirth.
- b. Upon notification from the employee, the supervisor will make available and

provide a private location in close proximity to the employee's work area for the employee to express breast milk. The location must be concealed from view and free from intrusion by other employees or the public.

- c. Upon notification from the employee, the supervisor shall provide a reasonable rest period to the employee for the purpose of expressing milk. A rest period of not less than 30 minutes will be allowed each time an employee has the need to express milk.
- d. The employee shall, if feasible, take the rest periods to express milk at the same time as the rest periods or meal periods that are otherwise provided to the employee.
- e. Washington County will treat the rest periods used by the employee to express milk as paid rest periods, up to the amount of paid time allowed to other employees for rest periods. If an employee takes unpaid rest time in addition to the paid time allowed, the supervisor may allow the employee to work before or after her normal shift or may require the employee to use accrued paid leave to make up the amount of time used during the unpaid portion of the rest periods.
- f. The employee is responsible for storing her expressed milk. The employee may bring a cooler or other insulated food container to work for storing the expressed milk, or with permission from her supervisor, store it in a refrigerator used by that employee's department.
- g. Individual circumstances may exist that would allow for provisions beyond what this policy provides. In those circumstances, the County will allow the employee all provisions required by law. In cases where additional interpretation of this policy is required, the Human Resources Manager in conjunction with the County Administrator shall make the final determination.

## **VI. ADMINISTRATION**

The Human Resources Division is authorized to establish necessary procedures to implement and monitor the program and may modify as necessary the established procedures to carry out the intent of the policy. Final authority for interpretation of and exceptions to this policy shall rest with the Human Resources Manager.

Questions about this policy should be directed to the Human Resources Division at 503.846.8606.

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