



MODEL BREASTFEEDING POLICY

Date of approval: _____

Effective date: _____

Approved by: _____

Supersedes Policy#: _____

Purpose

In recognition of the well documented health advantages of breastfeeding for infants and lactating individuals, _____ (NAME OF FACILITY/ORGANIZATION) provides a supportive environment to enable lactating employees to express their milk during workhours.

Policy

In accordance with §§ 39-2-215 to 217, Montana Code Annotated & Section 7(r) of the Fair Labor Standards Act, _____ (NAME OF FACILITY/ORGANIZATION) supports and encourages the practice of breastfeeding, accommodates breastfeeding needs of employees, and provides adequate facilities for breastfeeding or the expression of milk for the employee’s child as provided below. It is an unlawful, discriminatory practice to refuse to hire or employ, or to discharge or discriminate against an employee who breastfeeds or expresses milk in the workplace.

Scope

The lactation support policy of _____ (NAME OF FACILITY/ORGANIZATION) offers a supportive environment to all current and new employees who wish to express their milk during working hours. This policy shall be communicated to all current employees and included in new employee orientation training.

Employer

In support of breastfeeding employees who choose to continue providing their milk for their infants after returning to work, employers shall provide:

1. Milk Expression Breaks

Breastfeeding employees are allowed to breastfeed or express milk during work hours using their normal breaks and mealtimes. For time that may be needed beyond the usual break times, employees may use personal leave or may make up the time as negotiated with their supervisors.

2. A Place to Express Milk

A private room (not a toilet stall or restroom) shall be available for employees to breastfeed or express milk. The room will be private and sanitary and have an electrical outlet, access to sink and refrigerator to store expressed milk. 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. Expressed milk can be stored [in general company refrigerators/in designated refrigerators provided in the lactation room or other location/in employee's personal cooler.

3. **Breastfeeding Equipment** (Optional)

Breastfeeding employees who choose to continue providing their milk for their infants after returning to work shall receive:

_____ (NAME OF FACILITY/ORGANIZATION) [provides/subsidizes/rents] electric breast pumps to assist breastfeeding employees with milk expression during work hours. The company provides [hospital grade pump that can be used by more than one employee/or portable personal use electric breast pump that the employee retains] throughout the course of breastfeeding for the employee.

[If using a standard hospital-grade pump, indicate whether the company provides/subsidizes personal attachment kit or where the employee can purchase the kit.]

[Indicate whether breast pumps are also available for partners of employees.]

4. **Education** (Optional)

Prenatal and postpartum lactation support classes and informational materials are available for all mothers and fathers, as well as their partners.

5. **Staff Support** (Optional)

Supervisors are responsible for alerting pregnant and breastfeeding employees about the company's worksite lactation support program, and for negotiating policies and practices that will help facilitate each employee's infant feeding goals. It is expected that all employees will assist in providing a positive atmosphere of support for breastfeeding employees.

Employees

Breastfeeding employees who choose to continue providing their milk for their infants after returning to work shall:

1. **Communicate with Supervisors**

Employees who wish to express milk during the work period shall keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the company.

2. **Maintain Milk Expression Areas**

Breastfeeding employees are responsible for keeping milk expression areas clean, using anti- microbial wipes to clean the pump and area around it. Employees are also responsible for keeping the general lactation room clean for the next user. This responsibility extends to both designated milk expression areas, as well as other areas where expressing milk will occur.

3. **Properly Store Milk**

Employees should label all milk expressed with their name and date collected so it is not inadvertently confused with another employee's milk. Each employee is responsible for proper storage of her milk using [company provided refrigerator/personal storage coolers].

4. Use Break Times to Express Milk

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.

Responsibilities

Supervisors will:

- enumerate the work expectations of the employee;
- grant leave in accordance with applicable regulations;
- wherever feasible, the supervisor will refer families to a lactation support resource
- on an "as-needed" basis; and take appropriate action if an employee is found to be
- abusing this policy.

Employees will:

- will provide written notification to their immediate supervisor of their intent to human milk feed and express milk upon return to work, prior to taking maternity leave, or as soon as possible, post-delivery.
- submit a leave request if the time for expressing milk exceeds the time allowed for a break period or lunch;
- notify the supervisor of any problems experienced with the facility or accommodation provided;
- and abide by the policy otherwise, they may jeopardize their participation.

Note: Babies and children may receive human milk through a variety of methods which include breastfeeding, chestfeeding, pumped milk, pasteurized donor human milk, and more. For the purpose of sample language provided, breastfeeding refers to human milk feeding.

**Each strategy should include elements to accommodate specific workplace and employee needs. **

Resources:

- Montana State Breastfeeding Coalition, www.mtbreastfeedingcoalition.com/mother-friendly-worksites
- NY State Dept of Health: Making It Work: https://workwellinc.com/links/toolkit/making_it_work/1118/BreastfeedingToolkit_Employers-Screen.pdf
- Office of Women's Health: <https://www.womenshealth.gov/supporting-nursing-moms-work/what-law-says-about-breastfeeding-and-work/what-employers-need-know>

For more resources or specific questions, please contact:

Terry Miller, Senior Breastfeeding Consultant Montana Nutrition & Physical Activity Program - 406-542-7070 - mtmiller6@mt.gov