Washington County School District
121 West Tabernacle Street
Saint George, Utah 84770
435-673-3553

District Policy 1334

Nursing Mother Leave

Personnel Washington County School District - Adopted 8-9-11; Revised 1-10-17.

1. Purpose:

Congress passed the Patient Protection and Affordable Care Act ("PPACA"), on March 23, 2010. It requires the District to provide a private place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, for mothers of newborns to have "reasonable break time for the employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk."

2. Policy:

Washington County School District complies with the Fair Labor Standards Act (FLSA) and the Patient Protection and Affordable Care Act (PPACA), and Utah Code 34-49-202, which establishes the requirement for employers to provide reasonable break periods and an environment conducive for nursing mothers to express breast milk for a nursing child up to one year after the child's birth.

3. Procedure:

3.1. Nursing mothers are required to consult with their administrator or immediate supervisor and make arrangements prior to the lactation period. During this meeting, the nursing mother can request the supervisor to locate a room convenient to them for break periods. The supervisor will make reasonable accommodations to include:

3.2. Identify a room in close proximity to the employee's work area. The room could be an office that is used for an agreed upon period of time by the nursing mother, shielded from view and free from intrusion from coworkers and the public, which may be used to express breast milk.

3.2.1. A bathroom, even if private, is not a permissible location. The location provided must be clean, sanitary, and be functional as a space for expressing breast milk. If the space is not

dedicated to the nursing mother's use, it must be available when needed in order to meet the statutory requirement.

3.2.2. The employer will provide access to a clean and well-maintained refrigerator or freezer for temporary storage of the breast milk.

3.2.3. The room must have an electrical outlet.

3.3. If the supervisor is unable to identify a room for this purpose, the supervisor will contact the Director of Human Resources to request assistance. Human Resources will work with the School Administrator and Director of Physical Facilities to identify a room to be used by the nursing mother.

3.4. A reasonable break time for an employee to express breast milk for a nursing child is allowed for up to one year after the child's birth each time the employee has a need to express the milk. The supervisor will consult with the employee to determine the frequency and duration of the breaks. Breaks for more than 15 minutes in length are unpaid for FLSA non-exempt employees and must be reflected on the UKG time record.