

Policy Background:

Essex County, in compliance with New York State Labor Law 206-c (Guidelines Regarding the Rights of Nursing Mothers to Express Breast: Milk in the Work Place), supports the health and well-being of employees and their infants by providing a workplace conducive to a mother's right to express breast milk.

Essex County recognizes breastfeeding as the optimal form of nutrition for infant health as well as supporting the health of new mothers.

Essex County encourages and supports the practice of breastfeeding and/or the expression of breast milk by employees.

Essex County prohibits the discrimination and harassment of employees who exercise their right to breastfeed and/or express breast milk. Any act found to be intentional that invades a nursing mother's privacy will be treated as a disciplinary offense and reported to the appropriate manager.

Policy Purpose:

Research demonstrates:

- Breastfeeding is the ideal form of nurturing infants offering the most complete nutrition for infants and protection from infectious and non-infectious diseases;
- Breastfeeding is recommended by the Department of Health and Human Services, the Centers for Disease Control and Prevention, the American Academy of Pediatrics, the American Academy of Family Physicians, the American College of Obstetricians and Gynecologists, New York State Department of Health, New York State Department of Labor, and others;
- New York State Labor Law Section 206-c provides the right of nursing mothers to express breast milk in the work place; and
- Staff, children and the workplace all stand to benefit: through the:
 - Improved health of mother and child;
 - Higher productivity, employee satisfaction and morale;
 - Increased retention of employees;
 - Reduced leave time for staff due to resilient infants and mothers.

Policy Statement

Essex County's Lactation Accommodation Policy provides reasonable time for breastfeeding and/or milk expression that may be in the form of paid break, unpaid break, meal break that is no less than twenty (20) minutes and no longer than thirty (30) minutes for up to three (3)

years following the child's birth, Essex County shall at the minimal follow New York State Labor Law Section 206-c (Attachment A).

Essex County makes reasonable efforts to provide a private room or location in close to proximity of work location. Essex County shall at minimal follow New York State Labor Law Section 206-c (Attachment A).

Procedure

- A. Essex County shall incorporate this policy into the Employee Handbook;
- B. The Employee shall provide notice of a disability leave of absence for the birth of a child to a direct supervisor and the Personnel Department;
- C. Personnel Department shall notify pregnant employees of their rights under New York State Labor Law 206-c and the national worksite lactation accommodation law in the US Patient Affordable Care and provide a packet to these employees that include:
 - a. A copy of this Policy,
 - b. Educational information about the benefits of breastfeeding for infant and mother; recommendations on expressing and storing breast milk, etc.
 - c. Additional Breastfeeding supports and resources;
 - d. Notice of location(s) of designated lactation areas;
 - e. Availability of a hospital grade breast pump;
 - f. Essex County Breastfeeding referral guide.
- D. The Employee shall provide her own breast-pumping equipment for the expression of milk and store her pump at a location other than the designated lactation area. Essex County may provide a hospital-grade breast pump to be available in the designated room; The Employee must provide her own "kit" for use with such pump. Information about the availability of a pump will be provided in the Packet.
- E. Essex County shall provide a secure, sanitary location or room in close proximity to the employee's work location. This location shall not include a shared bathroom or private toilet stall. Essex County shall provide a sign that the Employee may post outside of the area noting the room is in use to help assure privacy.
- F. Essex County shall include a list of county lactation rooms and provide a sign-in sheet in the designated areas. The employee shall use sign-in sheet to maintain a coordinated use of the areas.
- G. The employee shall obtain verbal agreement with her direct supervisor regarding break times (following guidelines above).
- H. The employee shall use time(s) and locations as described above under "Policy Statement" and may do so for up to three years after returning to work.
- I. The Employee shall label and store expressed milk in closed containers, regardless of method of storage, and bringing such milk home after each working shift. Essex County is not responsible for the safekeeping of expressed milk at the workplace.

- J. The employee shall keep the designated lactation area clean and ready for use by other lactating Employees.