

Policy 5-527

Lactation Policy

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I. **Title**

Lactation Policy

II. **Policy**

A. Purpose

1. In recognition of the well-documented maternal and child health advantages of breastfeeding for infants and mothers, and in compliance with U.S. Department of Labor Fair Labor Standards Act, Section 7, the Texas Health and Safety Code 165.003 regulations, the Child Nutrition Act 1966(42 U.S.C. Section 1771 et seq., and the Texas Mother-Friendly Worksite Program of 1995, UTA provides a supportive environment to enable breastfeeding employees to express their milk during work hours. UTA provides reasonable break time for an employee to express breast milk for her nursing child for one year after the child's birth as needed. UTA also provides locations on campus for lactation, which are not bathrooms, and that are shielded from view and free from intrusion from coworkers and the public.
2. It is expected that all employees and leadership will assist in providing a positive atmosphere of support for breastfeeding employees.
3. Discrimination and harassment of breastfeeding mothers in any form is unacceptable and will not be tolerated at UTA.

B. Lactation Breaks

1. Employees

- a. Employees are allowed to express milk during work hours using their normal meal times and paid break times. Additional time needed beyond the usual paid break times is permitted, but uncompensated. Supervisors are encouraged to allow employees to make up unpaid break time (i.e. begin work earlier or end work later). The University will provide individualized employee scheduling of work hours (flex time) coordinated with the employee's immediate supervisor.
- b. Employees are responsible for requesting lactation support prior to or during maternity leave, preferably no later than two weeks before returning to work. The University will provide flexibility for staff and faculty mothers who give their department chair or supervisor adequate notice identifying a need for lactation support and facilities. Employees who wish to express milk during their work day must keep supervisors informed of their needs so that supervisors can make accommodations to satisfy the needs of the employee and the continuing operational needs of their department/units while the employee is away from the work area.

C. Lactation Facilities

1. Lactation Rooms

- a. UTA has provided appropriate areas for expressing milk. The spaces are private and sanitary, with a sink available with clean running water, and electrical outlets within or near the room. The rooms contain a place to sit and a flat surface other than the floor on which to place a pump. An appropriate space may be temporarily created or converted for expressing milk when needed.
- b. Information regarding lactation policy or current locations of lactation rooms may be obtained from the Wellness Committee, or by email to HRAdministration@uta.edu. Location information can be found at the website [Wellness at UTA](#).
- c. 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.

2. Storage of Milk and Breastfeeding Equipment

- a. Each employee is responsible for proper storage of their milk. Breast milk should be stored in a personal storage cooler. Workplace refrigerators may provide a hygienic storage alternative for breast milk that is properly sealed and labeled.
- b. Employees are responsible for providing their own pumps and attachments and for keeping milk expression areas clean.

D. Education and Communication of Policy

1. Information about breastfeeding support after returning to work will be provided to employees prior to their maternity leave upon request. Additional education information will be provided as listed below:
 - a. Contact information listing local lactation consultants, support groups, and other community breastfeeding resources are provided to employees upon request.
 - b. Classes on pregnancy and breastfeeding are offered to employees.
 - c. Breastfeeding education or other support are offered to employees' partners who are expectant fathers.
 - d. Additional information is available through the Office of Human Resources at 817-272-5554 or by email to HRAdministration@uta.edu.
 2. The University will providing information regarding this policy and any breastfeeding support programs to all employees during the New Employee Orientation and through the Employee Benefits and Benefit Wellness websites.
- E. Students planning to use lactation facilities must do so around their scheduled class times. Although any necessary accommodations should be negotiated with individual professors, professors are not required to excuse tardiness or absences due to lactation needs.

III. **Definitions**

Breastfeeding and Lactation: these terms are used interchangeably and intended to include pumping or expressing milk, as well as nursing directly from the breast.

Employee: all staff, faculty, and student employees, including graduate student assistants

IV. **Relevant Federal and State Statutes** State of Texas Health and Safety Code § Public Health Provisions, Chapter 165 Section 165.001 § 165.003

Federal Child Nutrition Act of 1966 (42 U.S.C. Section 1771 et seq.)
 Department of Labor Fair Labor Standards Act, 29 U.S.C. Section 207 (r)(1)-(4)
 Texas Mother-Friendly Worksite Program of 1995

V. **Relevant UT System Policies, Procedures and Forms**

N/A

VI. **Who Should Know**

UTA faculty, staff, students, and other authorized mothers who wish to use lactation rooms at the University

VII. **UT Arlington Office(s) Responsible for Policy**

The Vice President for Human Resources

VIII. **Dates Approved or Amended**

June 14, 2018

IX. **Contact Information**

All questions concerning this policy should be directed to the Vice President for Human Resources