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# What is a policy?

* For this purpose, a **policy** is a set of rules to govern the implementation of processes in the workplace.
* **Procedures**, on the other hand, are the guidelines for how implementation of the policy should be carried out.

## A policy is needed when…

* The actions of employees indicate confusion about the most appropriate way to behave.
* Guidance is needed about the most suitable way to handle various situations.
* Having a policy will protect the business legally.
* Having a policy will assure compliance with governmental policies and laws.
* Establishing consistent work standards, rules, and regulations.
* Providing consistent and fair treatment.

## A good policy is one that…

* Is written in clear, concise, simple language.
* Addresses what is the rule rather than how to implement the rule.
* Is readily available with clear authority.
* Assures that policy “experts” are available for assistance with interpretation.
* Is consistent (does not conflict) with other policies.

# Steps in policy development

Below are ten general steps for policy development. This tool will help you work through the first three steps in the process to arrive at a draft policy. Steps 4 through 10 will need to be completed with the help of your planning committee and organization’s administration.

1. Clearly articulate the goal that you hope to accomplish with the policy.
2. Gather information (e.g., legal requirements, best practice guidance, various sample policies, legal consultation).
3. Develop and write the policy.
4. Review the policy—many eyes, varied perspectives.
5. Gain management support for the policy—buy-in and ownership.
6. Consider getting legal review of the policy if the policy has legal implications.
7. Communicate and implement the policy.
8. Decide how the policy will be communicated in the future.
9. Interpret and integrate the policy—be consistent and fair.
10. Review the progress and impact of policy implementation (tracking and evaluation).

# STEP 1 *Clearly articulate the goal that you hope to accomplish with the policy.*

The overall aims of a worksite lactation support program are to increase optimal health outcomes; improve employee retention, productivity, loyalty, and satisfaction; and decrease absenteeism and health-care costs for your business. This may be accomplished through assurance that:

1. Breastfeeding employees have adequate **time** for establishment and maintenance of lactation.

2. Breastfeeding employees have access to a private, comfortable, and hygienic **place** for the expression of breastmilk during the workday.

3. Expectant and parenting employees have access to information and **education** about infant feeding and worksite lactation.

4. The worksite has a culture of **support** that ensures that breastfeeding employees are able to maintain breastfeeding after returning to work in order to achieve their personal breastfeeding goals as well as fulfill their job responsibilities.

Your program’s success will be enhanced if your program’s vision, mission, and goals address these aims in a way that emphasizes how they may support the values and mission of your organization as a whole.

Your employee worksite lactation support policy should align with these programmatic goals. Your policy may also address the requirements of the “Reasonable Break Time for Nursing Mothers” provision of Section 7 of the Fair Labor Standards Act, or this provision may be addressed elsewhere in your Human Resources policy. More information about this provision is available at <http://www.dol.gov/whd/nursingmothers/>.

## Policy Components

The following components should all be covered in your employee worksite lactation support policy. A strong policy is brief and broad—it should be supported by clear procedures that provide specific and clarifying details. Too many details can weaken the overall policy by ultimately limiting its scope.

1. Health and/or legal rationale

Providing the health and/or legal rationales for the policy provides additional legitimacy and stronger grounds for buy-in from supervisors and co-workers.

2. Atmosphere of tolerance/atmosphere of support

A woman’s choice to provide breastmilk to her child is very much influenced by the amount   
of support she receives from supervisors and coworkers. In order to maintain lactation when separated from her child during the workday, she must be able to express breastmilk. It is very important that she feel free to attend to her physical needs for milk expression without danger of repercussion, intimidation, or hostility, particularly in the form of negative or offensive feedback, differential treatment, harassment, and/or discrimination by her supervisor or coworkers.

3. Notification of policy to all employees

The policy should be clearly articulated during new employee orientation and should also be reiterated through relevant communication channels on an ongoing basis. In particular, Human Resources materials should include breastfeeding policy information in packets for employees taking family/parental leave for the birth of a child so they can make the necessary arrangements and feel confident and supported in their decision to provide breastmilk to their baby.

4. Time and leave

It is important to take into consideration the diversity of needs and job roles and functions in your organization. Your policy should be broad enough to address multiple employee roles and work environments. It is important that the policy communicate the responsibility of managers and supervisors to arrange work coverage for the employee while she is on break to express milk. It should not be the responsibility of the employee to arrange this coverage.

5. Education/support/resources

Education and support are key to making lactation maintenance during the workday an attainable goal for employees. Employees must have information and support about how to be effective and efficient in maintaining lactation when separated from their infants, understand what resources are in place to support them, and know how to get help should problems arise.

6. Facilities, including breastmilk storage

Keep in mind your diverse employee roles and work environments. It is more important to have options that provide access for all employees than it is to provide the maximum level of accommodations for just a few employees. For example, if only a few employees would have access to one lactation room, then investing all your resources in a room with a recliner, mirror, etc. will not meet the needs of your organization’s employees. It might be better to provide several mobile kits that can be used in any clean, private space.

Your policy should address the need for a clean, private space, but the type of space will depend on your worksite. A strong policy would require “access by each employee who has a need for a clean, private space appropriate for expressing breastmilk.” Your accompanying procedures documents can detail the range of options your organization has available for providing this space in each setting.

In addition to a worksite lactation support policy, your organization may want to also consider developing a policy to clarify employees’ responsibilities for assuring that a customer or client’s legal right to breastfeed is also protected.

# STEP 2 *Gather information (e.g., applicable laws, best practice guidance, various sample policies, legal consultation).*

## Applicable Laws

Below is a description of the federal and state laws related to worksite lactation.

### Federal: Fair Labor Standards Act “Reasonable Break Time for Nursing Mothers” requirement

The Patient Protection and Affordable Care Act (“Affordable Care Act”) amended [section 7 of the Fair Labor Standards Act](http://www.dol.gov/whd/nursingmothers/Sec7rFLSA_btnm.htm) (FLSA) (http://1.usa.gov/qlTkRP) to require employers to provide reasonable break time for an employee to express breastmilk for her nursing child for one year after the child’s birth each time such employee has need to express the milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breastmilk. The break time requirement became effective when the Affordable Care Act was signed into law on March 23, 2010.

Other federal guidance of interest:

[EEOC Enforcement Guidance: Unlawful Disparate Treatment of Workers with Caregiving Responsibilities](http://www.eeoc.gov/policy/docs/caregiving.html). Available from: <http://www.eeoc.gov/policy/docs/caregiving.html>

[Family and Medical Leave Act](http://www.dol.gov/whd/fmla/). Available from: <http://www.dol.gov/whd/fmla/>

### State: Texas Health and Safety Code 165 Breast-Feeding

Legislation passed in Texas’ 74th Legislative Session, 1995, amended Texas Health and Safety Code to include legislative findings related to the importance of breastfeeding, to clarify a woman’s entitlement to breastfeed her child in any location, and to establish criteria for the Texas Mother-Friendly Worksite Program at the Texas Department of State Health Services. Relevant excerpts are below. The complete law can be viewed at <http://bit.ly/JsilAZ>.

Texas Statutes Health & Safety Code Title 2. Subtitle H. Public Health Provisions Chapter 165. Breast-Feeding. Added by Acts 1995, 74th Leg., ch. 600, Sec. 1, eff. Aug. 28, 1995.

Sec. 165.001.  LEGISLATIVE FINDING.

The legislature finds that breast-feeding a baby is an important and basic act of nurture that must be encouraged in the interests of maternal and child health and family values. In compliance with the breast-feeding promotion program established under the federal Child Nutrition Act of 1966 (42 U.S.C. Section 1771 et seq.), the legislature recognizes breast-feeding as the best method of infant nutrition.

Sec. 165.002.  RIGHT TO BREAST-FEED.

A mother is entitled to breast-feed her baby in any location in which the mother is authorized to be.

Sec. 165.031.  LEGISLATIVE RECOGNITION.   
The legislature recognizes a mother's responsibility to both her job and her child when she returns to work and acknowledges that a woman's choice to breast-feed benefits the family, the employer, and society.

**Sec. 165.003.  BUSINESS DESIGNATION AS “MOTHER-FRIENDLY”** [**www.texasmotherfriendly.org**](http://www.texasmotherfriendly.org)

(a) A business may use the designation “mother-friendly” in its promotional materials if the business develops a policy supporting the practice of worksite breastfeeding that addresses   
the following:

(1) work schedule flexibility, including scheduling breaks and work patterns to provide time   
for expression of milk;

(2) the provision of accessible locations allowing privacy;

(3) access nearby to a clean, safe water source and a sink for washing hands and rinsing out any needed breast-pumping equipment; and

(4) access to hygienic storage alternatives in the workplace for the mother’s breastmilk.

(b) The business shall submit its breastfeeding policy to the department [Texas Department of State Health Services]. The department shall maintain a list of “mother-friendly” businesses covered under this section and shall make the list available for public inspection.

Sec. 165.033.  BREAST-FEEDING POLICY.

The department [Texas Department of State Health Services] shall develop recommendations supporting the practice of worksite breast-feeding that address the following:

(1) work schedule flexibility, including scheduling breaks and work patterns to provide time   
for expression of milk;

(2) the provision of accessible locations allowing privacy;

(3) access nearby to a clean, safe water source and a sink for washing hands and rinsing out any needed breast-pumping equipment; and

(4) access to hygienic storage alternatives in the workplace for the mother’s breast milk.

[Texas Administrative Code Title 25, Part 1, Chapter 31, Subchapter A, Rule §31.1 Register of Mother-Friendly Businesses](http://info.sos.state.tx.us/pls/pub/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=25&pt=1&ch=31&rl=1) (http://bit.ly/JxawDu) outlines the rules that Texas Department of State Health Services implements to oversee the program. The rules include procedures for a worksite to qualify for, apply for, and maintain the Texas Mother-Friendly Worksite designation.

A Mother-Friendly business is defined as “a worksite that actively promotes and supports breastfeeding by its employees and that maintains a written worksite lactation support policy that is regularly communicated to employees.”

### Minimum Standards for Texas Mother-Friendly Worksite Designation

To be designated Mother-Friendly, a worksite must maintain a written policy that:

(1) Adheres to the definition of a Mother-Friendly business.

(2) Provides work schedule and work pattern flexibility to, at a minimum, accommodate a reasonable break time for an employee to express breastmilk for her nursing child or to breastfeed each time such employee has need to express the milk or breastfeed for one year or longer after the child's birth.

(3) Provides employees a private, accessible area, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, for either expressing breastmilk or breastfeeding each time such employee has need to express breastmilk or breastfeed.

(4) Provides access to a clean, safe water source and a sink.

(5) Provides access to a hygienic place to store expressed breastmilk.

#### Silver and gold standards

DSHS may recognize Mother-Friendly Worksites that implement additional best-practice policies and program activities to promote and support breastfeeding by their employees that exceed the minimum standards for the Mother-Friendly Worksite designation. Specific standards for silver and gold-level ensure that:

* Minimum standards are met and communicated.
* Dedicated lactation facilities are provided.
* Additional flexible scheduling options and/or options for keeping the baby close during the workday are provided.
* Educational and/or support resources are provided.

## Sample Policy Component Options

The following examples are meant to serve as a menu of options from which to choose to develop a basic worksite lactation support policy. Silver and gold-level Mother-Friendly designation standards are not fully addressed within these examples. You can mix and match varying levels of comprehensiveness for each of the policy components. For example, you could choose a less-comprehensive option for the Statement of Purpose and a more comprehensive option for the Atmosphere of Tolerance.

Use the different policy statements as ideas or as templates, depending on your needs.

### Statement of Purpose

Note: Your policy is not required to provide a statement of purpose to be considered for designation as a Texas Mother-Friendly Worksite.

1. This policy establishes a “Mother-Friendly” employee worksite lactation support program at Organization Name in accordance with Texas Health and Safety Code § 165.003. The program provides a work environment that is supportive of lactating mothers and encourages breastfeeding of their children for up to one year or beyond following their birth. The benefits of the program are increased attendance due to less time lost for care of sick children, reduced cost of insurance claims for sick children and mothers, reduced losses of institutional knowledge and turnover as a result of a mother opting not to return to work in order to breastfeed, and increased morale.

OR

2. This policy is intended to provide guidance for managers and employees of the Organization Name to support breastfeeding employees.

OR

3. In recognition of the well-documented health advantages of breastfeeding for infants and mothers, Organization Name provides a supportive environment to enable breastfeeding employees to express their milk during work hours.

OR

4. Because of the documented health benefits provided to mother and baby by breastfeeding, and because return-to-work is a common barrier to breastfeeding mothers, Organization Name adheres to the following policy:

### Health and/or Legal Rationale

Note: Your policy is not required to provide a rationale to be considered for designation as a Texas Mother-Friendly Worksite.

1. The American Academy of Pediatrics (AAP) affirms that “breastfeeding and human milk are the reference normative standards for infant feeding and nutrition” that “confer unique nutritional and nonnutritional benefits to the infant and the mother and, in turn, optimize infant, child, and adult health as well as child growth and development.” Research shows that there are significant risks of not breastfeeding, and the AAP concludes that “infant feeding should not be considered a lifestyle choice but rather as a basic health issue.”

OR

2. Organization Name recognizes that breastmilk is the optimal food for growth and development of infants.

OR

3. Along with the Texas legislature, Organization Name recognizes that breastfeeding a baby is “an important and basic act of nurture that must be encouraged in the interests of maternal and child health,” recognizes a mother’s responsibility to both her job and her child when she returns to work, and acknowledges that support of breastfeeding “benefits the family, the employer, and society.”

### Atmosphere of Tolerance/Atmosphere of Support

Note: Your policy is not required to address atmosphere of tolerance/support to be considered for designation as a Texas Mother-Friendly Worksite.

1. Organization Name encourages employees and management to have a positive, accepting attitude toward working women and breastfeeding. Organization Name promotes and supports breastfeeding and the expression of breastmilk by employees who are providing breastmilk to their infants when they return to work by providing information to all employees about the benefits of breastfeeding and the company policy that supports breastfeeding. This policy is to ensure that managers and employees are supportive of employees’ needs related to combining working and breastfeeding.

OR

2. Organization Name recognizes that breastfeeding is an important and basic act of nurture that is to be encouraged in the interest of maternal and child health and family values. Our organization supports the practice of worksite breastfeeding and/or expression of mother’s milk.

OR

1. Organization Name encourages employees and management to have a positive accepting attitude toward working women and breastfeeding. Organization Name promotes and supports breastfeeding and the expression of breastmilk by employees who are breastfeeding when they return to work. Discrimination and harassment of breastfeeding mothers in any form is unacceptable and will not be tolerated at Organization Name.\*

OR

3. Breastfeeding should not constitute a source of discrimination in employment or in access to employment. It is prohibited under this policy to harass a breastfeeding employee; such conduct unreasonably interferes with an employee’s work performance and creates an intimidating, hostile, or offensive working environment. Any incident of harassment of a breastfeeding employee will be addressed in accordance with the Organization Name’s policies and procedures for discrimination and harassment.\*

OR

4. Managers, supervisors, and employees are expected to create and maintain an environment that encourages and supports employees and eliminates barriers. A supportive, respectful environment includes a workplace that does not tolerate comments or actions that may dissuade lactating mothers from taking the time necessary for milk expression. Organization Name specifically prohibits the following:

* Adverse employment actions of any kind as a result of time used for lactation
* Acts of discrimination or retaliation against lactating mothers or those who may become lactating mothers
* Disapproving comments or criticisms of staff who use time for lactation
* Jokes, comments, or ridicule that may result in embarrassment for lactating mothers or other staff

### Notification of Policy to All Employees

1. Organization Name’s Mother-Friendly Workplace policy shall be disseminated to every incoming and current employee in the Organization Name. The policy shall be disseminated on an annual basis.

OR

2. Supervisors are responsible for notifying all employees of this policy and for alerting pregnant and breastfeeding employees about this policy for breastfeeding support.

### Time and Leave

Include this or similar language in your policy:

“Work schedule and work pattern flexibility will be provided to accommodate a reasonable break time for an employee to express breastmilk for her nursing child or to breastfeed each time such employee has need to express the milk or breastfeed, for up to one year [*or, “for one year or longer”*] after the child's birth.”

In addition, consider the following examples:

1. Lactating mothers may use time during the standard workday for milk expression. This may include various combinations of standard paid break periods, lunch periods, and other time as necessary. Lactating mothers must be afforded flexibility in their work schedules, such that the use of accrued leave or leave without pay is not required to cover time used for milk expression. While in general, this may require two to three lactation breaks a day, scheduling will be arranged on a case-by-case basis and be based on the specific needs of the employee. Supervisors and managers are responsible for ensuring that the duties of the lactating employee are covered during her expression breaks. Support also includes providing onsite child care or assistance with finding child care nearby. If the child-care facility is close, it will be easier for baby to be brought to the mother or for the mother to go to the baby on her breaks.

OR

2. A breastfeeding employee is allowed to breastfeed or express milk during work hours, using her normal meal and compensated break times. For time needed beyond these usual breaks, and with approval from her supervisor, the employee may arrive at work earlier or stay later than her regular hours. In addition, Organization Name heads or their designees may authorize alternative work schedules such as flex-schedules, compressed work weeks, telework, and job sharing.

OR

3. This policy provides for work schedule flexibility, including the scheduling of breaks/lunch periods to provide adequate time for expression of milk. The employee will be encouraged to include milk expression in her lunch and break periods and may work with her supervisor to designate a staff member to assume temporary care of her responsibilities if additional expression breaks are needed. The employee may make up time used over and above scheduled break periods by shortening her lunch period, starting her shift early or leaving later, or through other flexible scheduling options as negotiated with her manager or director.

OR

4. Support shall include flexible work hours, phase-back options, part-time and working-at-home opportunities as well as flexible breaks/assignments when feasible within the collective agreement.

OR

5. Breastfeeding employees are allowed to express milk during work hours using their normal break times and meal times. For the time that may be needed beyond their breaks, employees may make up the time as negotiated with their supervisors.\*

OR

6. Lactation times shall be established for each employee based on her work schedule. If possible, the lactation time will run concurrently with any break time already provided. Lactation time beyond the regular break time is unpaid and will be negotiated between the employee and Organization Name.

For a highly comprehensive policy, your organization may choose to provide policies that facilitate mother and infant contact, such as:

* Paid maternity/parental leave
* Job protection for extended unpaid leave, without loss of benefits
* Baby-to-work
* Onsite child care

Review the *Implementation Guide: Time* (Refer to Step 6: Implement Your Plan at: <http://www.TexasMotherFriendly.org/getting-started>) to review these and other policy options.

### Education/Support/Resources

Note: Your policy is not required to address education and/or support resources to be considered for designation as a Texas Mother-Friendly Worksite.

1. Support includes providing educational information about breastfeeding and returning to work to women at the initiation of maternity leave. Development of a mother-to-mother peer network of nursing employees who can support each other when working and breastfeeding is encouraged.

OR

2. Informational materials about breastfeeding are available to employees at website. This policy is included in the Employee Handbook; Human Resources will alert all employees about this policy during New Employee Orientation.

OR

3. The Department or Health Plan Name supports Organization Name staff members who are breastfeeding by providing knowledgeable health-care staff should the employee seek assistance with breastfeeding. The International Board Certified Lactation Consultant/Nurse staff can provide information on proper breastfeeding and pumping techniques/strategies.

OR

4. Prenatal and postpartum breastfeeding education and information is available for interested mothers and fathers from Department or Location.

OR

5. Information about breastfeeding support after returning to work shall be provided to employees prior to their maternity leave.

### Facilities, Including Breastmilk Storage

Include this or similar language in your policy:

“Organization Name shall provide a private, accessible area, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, for the purpose of expressing breastmilk each time such employee needs to express the milk.”

Your policy should also explicitly address:

* Provision of nearby access to a clean, safe water source and a sink.
* Provision of access to a hygienic place to store expressed breastmilk.

Consider the following examples of wording:

1. Employees may use, when available, the dedicated employee lactation rooms designated for the purpose of expressing breastmilk and which include the following:

* A locking door, an electrical outlet, a clean work surface, and comfortable chair.
* A safe, clean water source and sink for washing hands and cleaning breast pump equipment within the designated breast pump room.
* A clean refrigerator used for the sole purpose of storing expressed breastmilk.
* A hospital-grade multi-user double electric breast pump that may be used with an employee’s own personal-use milk collection kit.

Where dedicated space is not feasible, Organization Name will provide a mixed-use space for lactating mothers. In cases such as the latter, lactating mothers will have priority over all other uses of the space.

In addition, an employee may choose to use her private office or other space, identified in consultation with her manager.

2. A private room is available for breastfeeding employees to express milk. This room locks and has an electrical outlet. Employees may check out the key to use the room. The women’s restroom on the same floor has soap and water for cleaning. If an employee prefers, she may also express breastmilk in her own private office or in another private location agreed upon in consultation with her supervisor.

3. A private, comfortable room, other than a bathroom, is available for breastfeeding employees to breastfeed or express milk. This room has comfortable seating, access to electricity, and is sanitary. At Organization Name headquarters, this is referred to as the Moms’ Room, Room Number. Organization Name will provide assistance with creating these rooms at satellite offices as needed. If preferred, breastfeeding mothers also have the option to express milk in their private offices or another clean, private room with a locking door, comfortable chair, electrical outlet, and table or shelf.

Breastfeeding employees have access to running water for washing hands and rinsing breast pump parts. Depending on the breastfeeding employee’s place of work, expressed milk can be stored in the refrigerator in the Moms’ Room, company refrigerators in the break room, and/or the employee’s personal cooler.

4. Employees shall be provided a clean, comfortable space for the purpose of milk expression.   
A restroom shall not serve as the milk-expression space.\*

The space shall be:

* Equipped with an electrical outlet.
* Close to the employee’s work area.
* Equipped with comfortable seating.
* Near a sink with hot water and soap for hand washing and cleaning equipment.

Employees may hygienically store their expressed milk in either their own personal insulated coolers with ice packs or in the employee break room refrigerator. As with any personal food item, handling and supervision of the expressed milk is the sole responsibility of the employee.

5. Organization Name will provide private space, other than a bathroom, for lactating mothers to express milk. Where feasible, that space will be dedicated for the specific use of expressing milk by lactating mothers. Where dedicated space is not feasible, Organization Name will provide a mixed-use space for lactating mothers. In cases such as the latter, lactating mothers will have priority over all other uses of the space. Access to a safe water source and a sink within reasonable distance from the lactation space will be provided. Employees may store their expressed milk in their own personal coolers with ice pack or in the shared break room refrigerator space, if available.

### Separate Policy: Right [of clients and customers] to Breastfeed in Public Places

Note: Your policy is not required to address clients’ and customers’ right to breastfeed in public places in order to be considered for designation as a Texas Mother-Friendly Worksite.

### Breastfeeding in Public Space

In accordance with [Texas Health and Safety Code § 165.002](http://www.statutes.legis.state.tx.us/Docs/HS/htm/HS.161.htm#161.071), Organization Name recognizes that   
a mother is entitled to breastfeed her baby in any location in which she is authorized to be. Organization Name employees shall welcome clients/customers who are mothers who want to breastfeed. Signs may be posted in customer service areas to notify customers that private areas are available for breastfeeding. Mothers may also breastfeed in any location within the client/customer area. All staff members will support the needs of breastfeeding mothers in this regard.”

\*Where indicated, language is adapted from LA Best for Babies Network, Breastfeeding-Friendly Workplace Policies. 2010. Available from: <http://www.labestbabies.org/publications/sites/default/files/publications/BF_Policy_Brief10_0.pdf>.

# STEP 3 *Develop and write the policy.*

## Policy Outline

The sample policy component templates from Step 2 can be adapted or cut and pasted into this section to draft a comprehensive employee worksite lactation support policy. Your policy should include the following eight sections:

### 1. Policy Purpose

### 2. Recognition of Health Benefits

### 3. Definitions *Who qualifies for the program (all employees, part-time, contractors, visitors, etc.)*

**4. Program Components**

* **Time** *Leave and break options for moms returning to work.*
* **Space** *Arrangements for private space, other than a bathroom, access to water and sink, hygienic milk storage solutions, and equipment provided, as applicable.*
* **Education** *Resources available to parents returning to work.*
* **Culture of Tolerance** *General support and nondiscrimination.*
* **Optional Related Breastfeeding-in-Public-Spaces Policy** *Addressing employee responsibility to assure a customer’s/client’s right to breastfeed in public.*

## Sample Policy Template

Below is a sample policy. We offer it as a complete picture of how the different components might look when combined. You may use this wording as much or as little as is appropriate for your organization. At a minimum, your final policy should meet or exceed the minimum Texas Mother-Friendly Worksite standards.

### Statement of Purpose

This policy establishes a “Mother-Friendly” employee worksite lactation support program at Organization Name in accordance with Texas Health and Safety Code § 165.003. The program provides a work environment that is supportive of lactating mothers and encourages breastfeeding of their children for up to one year or beyond following their birth. The benefits of the program include increased attendance due to less time lost for care of sick children, reduced cost of insurance claims for sick children and mothers, reduced loss of institutional knowledge and turnover as a result of a mother opting not to return to work in order to breastfeed, and increased morale.

### Health Rationale

The American Academy of Pediatrics (AAP) affirms that “breastfeeding and human milk are the reference normative standards for infant feeding and nutrition” that “confer unique nutritional and nonnutritional benefits to the infant and the mother and, in turn, optimize infant, child, and adult health as well as child growth and development.” No formula can duplicate the special nutrients that human milk provides. Human milk has a unique combination of fats, sugars, proteins, vitamins, and enzymes, all of which are especially designed to promote brain and body growth and development. Research shows that there are significant risks of not breastfeeding, and the AAP concludes that “infant feeding should not be considered a lifestyle choice but rather as a basic health issue.”

### Culture of Tolerance

Organization Name encourages employees and management to have a positive, accepting attitude toward working women and breastfeeding. Organization Name promotes and supports breastfeeding and the expression of breastmilk by employees who are breastfeeding when they return to work by providing information to all employees about the benefits of breastfeeding and the company policy that supports breastfeeding. This policy is to ensure that managers and employees are supportive of employees’ needs related to combining working and breastfeeding.

### Policy Dissemination

Organization Name’s Breastfeeding-Friendly Worksite policy shall be disseminated to every incoming and current employee in the Organization Name.

Supervisors are responsible for alerting pregnant and breastfeeding employees about this policy prior to, and upon return from, an employee’s period of leave for the reason of childbirth.

### Program Components

#### Time

Work schedule and work pattern flexibility will be provided to accommodate a reasonable break time for an employee to express breastmilk for her nursing child or breastfeed each time such employee has the need to express the milk or breastfeed for one year or longer after the child’s birth. Lactating mothers may use time during the standard workday for milk expression. This may include combinations of standard paid break periods, lunch periods, and other times as necessary. Lactating mothers must be afforded flexibility in their work schedules, such that the use of accrued leave or leave without pay is not required to cover time used for milk expression. While in general, this may require two to three lactation breaks a day, scheduling will be arranged on a case-by-case basis to accommodate the milk-expression needs of the employee.

#### Education

Support includes providing educational information about breastfeeding and returning to work to women at the initiation of maternity leave. Additionally, the employee wellness coordinator may facilitate an employee mother-to-mother peer support program.

#### Space

Organization Name shall provide a private, accessible area, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, for the purpose of expressing breastmilk each time such employee has need to express the milk.

Employees may use, when available, the dedicated employee lactation rooms as designated for the purpose of expressing breastmilk, which include:

* A locking door, an electrical outlet, a clean work surface, and comfortable chair.
* A safe, clean water source and sink for washing hands and cleaning breast pump equipment within the designated breast pump room.
* A clean refrigerator used for the sole purpose of storing expressed breastmilk. Employees may also hygienically store their expressed milk in either their own personal insulated coolers with ice packs or in the employee break room refrigerator. As with any personal food item, handling and supervision of the expressed milk is the sole responsibility of the employee.
* A hospital-grade multi-user double electric breast pump that may be used with an employee’s own personal use milk collection kit

Where dedicated space is not feasible or available, Organization Name will provide a mixed-use space for lactating mothers. In cases such as the latter, lactating mothers will have priority over all other business uses of the space. Provided space will be in reasonable distance to a source of clean, safe water and a sink.

Employees may register complaints with regard to violation of this policy, in accordance with Organization Name Complaint Policy XXX.

Additional Policy: Right to Breastfeed

### Breastfeeding in Public Space

In accordance with [Texas Health and Safety Code § 165.002](http://www.statutes.legis.state.tx.us/Docs/HS/htm/HS.161.htm#161.071) Organization Name recognizes that a mother is entitled to breastfeed her baby in any location in which the mother is authorized to be. Organization Name employees shall welcome clients/customers who are mothers who want to breastfeed. Signs may be posted in customer service areas to notify customers that private areas are available for breastfeeding. Mothers may also breastfeed in any location within the client/customer area. All staff members will support the needs of breastfeeding mothers in this regard.”

## More Policy Samples, Adapted from Actual Mother-Friendly Worksites Policies

### Policy #1: Insert in employee policy book

An employee is entitled to a reasonable amount of break time at appropriate intervals to express breastmilk. Organization Name shall provide a room or other location in reasonable proximity to the employee's work area with an accessible electrical outlet and a locking door where the employee can express breastmilk in private. The employee is entitled to use the sink, microwave oven, refrigerator, and freezer in any break area to clean breast pump equipment, wash hands,   
and store labeled breastmilk containers in a hygienic manner. An employee shall notify her division director or immediate supervisor of her intent to use break time under this subsection. Breastfeeding employees are allowed to express milk during work hours, using breaks and meal times. For additional time above and beyond normal break and/or lunch times, employees may make up the time as negotiated with their supervisor**.**

### Policy #2: General Policy

#### Worksite Breastfeeding Policy

Because breastfeeding has been shown to be the superior form of infant nutrition, providing a multitude of health benefits to both infants and mother, and because breastfeeding employees need ongoing support in the worksite to be able to provide their milk for their babies, Organization Name subscribes to the following policy:

1. Employees shall be provided a place to breastfeed or express their milk.

An employee lactation room is provided as a private and sanitary place for breastfeeding employees to express their milk during work hours. This room provides an electrical outlet, comfortable chair, and nearby access to running water. Employees may, of course, use their private office area for breastfeeding or milk expression, if they prefer.

2. A refrigerator will be made available for safe storage of expressed breastmilk.

Employees may use their own cooler packs to store expressed breastmilk or may store milk in a designated refrigerator/freezer. Employees should provide their own containers, clearly labeled with name and date. Those using the refrigerator are responsible for keeping it clean.

3. Employees shall be provided flexible breaks to accommodate breastfeeding or milk expression.

A breastfeeding employee shall be provided a flexible schedule for breastfeeding or pumping to provide breastmilk for her child. The time would not exceed normal time allowed for lunch and breaks. For time above and beyond normal lunch and breaks, the employee can come in a little early or leave a little later to make up the time.

4. Staff are expected to provide support for breastfeeding employees.

Realizing the importance of breastfeeding to the infant, the mother, and the company, staff should provide an atmosphere of loving support for breastfeeding employees.

5. Breastfeeding promotion information will be displayed.

The company will provide information on breastfeeding to all pregnant and breastfeeding employees, including local resources. In addition, positive promotion of breastfeeding will be on display in the company and in-house communications with staff.

6. Employee orientation will include information about the company's breastfeeding policy.

The company's breastfeeding policy will be communicated to current staff. New employees   
will be informed about the company policy in the new employee orientation training.

### Policy #3: General Policy

#### Support for Breastfeeding Employees

In recognition of the well-documented health advantages of breastfeeding for infants and mothers, Organization Name provides a supportive environment to enable breastfeeding employees to express their milk during work hours.

* Milk Expression Breaks

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

* A Place to Express Milk

A private room is available for employees to express milk. This room locks and has an electrical outlet. Employees may check out the key from Contact Name to use the room. The women’s restroom on the same floor has soap and water for cleaning. If an employee prefers, she may also express milk in her own private office or in another private location agreed upon in consultation with her supervisor. When more than one employee needs to use the private room, they are encouraged to work together and coordinate milk expression times. Employees should contact Contact Name to arrange for additional space on an as-needed basis.

* Milk Expression Equipment

Employees must provide their own equipment and supplies for milk expression.

* Education

Informational materials about breastfeeding are available to employees at: <http://www.dshs.state.tx.us/wichd/bf/bf1.shtm>.

* Communication of Policy

In addition to this policy being included in the Employee Handbook, Human Resources will alert all employees about this policy during New Employee Orientation.

#### Employee Responsibilities

* Communication with Supervisors

Employees who wish to express milk during the workday shall coordinate with their supervisors as needed so they can work together to satisfy the needs of both the employee and the agency.

* Maintenance of Milk Expression Areas

Breastfeeding employees are responsible for keeping the room clean and sanitary for the next user. This responsibility extends to other areas where expressing milk occurs. Organization Name will not clean or monitor the condition of the private room or these other areas.

* Milk Storage

Expressed milk may be stored in one of the break room refrigerators available to employees. Employees should label all milk expressed with their name and collection date so that it is not inadvertently confused with another employee’s milk. Each employee is responsible for proper storage of her milk using available Organization Name refrigerators or personal storage coolers.

### Policy #4: State Agency

**Mother-Friendly Worksite Policy  
Policy Number:   
Type of Policy: Human Resources  
Date:**

#### Purpose

This policy establishes a “Mother-Friendly” Worksite program at the Organization Name, in accordance with Texas Health and Safety Code § 165.003. It is applicable to employees, contract workers, and members of the public conducting business at the agency. The program is designed to provide a supportive environment for lactating mothers and to encourage breastfeeding following childbirth. Potential benefits of the program include increased employee attendance due to less lost time for sick children, reduced cost of insurance claims for sick children and mothers, reduced loss of institutional knowledge and turnover as a result of new mothers opting not to return to the workplace, and an overall increase in staff morale.

#### Definitions

**Mother-Friendly Worksite:** A designation given to an employer by the Texas Department of State Health Services, once the employer meets the requirements for such designation.

**Lactation Room:** A private space, other than a bathroom, that allows lactating mothers to express breastmilk during the workday.

**Program:** Refers to the overall Mother-Friendly Worksite Program and any individual activity offered through the Mother-Friendly Worksite Program.

#### Mother-Friendly Program Components

The Mother-Friendly Worksite Program consists primarily of practices and activities that serve   
to enhance a lactating mother’s ability to breastfeed her baby while maintaining favorable employment. The Organization Name Mother-Friendly program includes:

* **Policy:** A policy that governs the program and establishes standards for compliance with Mother-Friendly Worksite standards as defined by the Texas Department of State Health Services.
* **Education:** Periodic informational presentations and access to literature and publications.
* **Flexible Work Schedules** Provides mothers the opportunity to express breastmilk periodically during the business day as needed. Also allows participating mothers to work   
  a standard work shift schedule, without using accrued leave.
* **Lactation Rooms** Provide mothers with a private place to express breastmilk in comfortable settings and without interruptions.

The Organization Name Mother-Friendly program activities and resources offered at Austin headquarters may be replicated at field offices/sites to the greatest extent possible. Certain program activities may be site-specific consistent with operational requirements and availability   
of facilities, equipment, or other program resources.

#### General Policies

**Mother-Friendly Worksite**

**Flexibility in Work Schedules and Program Accessibility**

Organization Name managers and supervisors shall grant lactating mothers the greatest flexibility in job duties and work schedules to accommodate milk expression and breastfeeding. A supportive environment shall be maintained such that lactating mothers are allowed adequate time during the standard workday for milk expression. This may include various combinations of the standard paid break periods, lunch periods, and other times as necessary. Work schedules shall be “flexed” such that an individual is not required to use personal leave to recover time used for milk expression. Specific scheduling should be coordinated between the immediate supervisor and applicable employee. This policy specifically prohibits:

* Adverse employment actions of any kind as a result of time used for lactation.
* Acts of discrimination or retaliation against lactating mothers or those who may become lactating mothers.
* Disapproving comments or criticisms of staff who use time for lactation.
* Jokes, comments, or ridicule that may result in embarrassment for a lactating mother   
  or other staff.

**Lactation Rooms**

Organization Name will provide a private space, other than a bathroom, for lactating mothers to express milk. The space will include access to a nearby source of running water and a sink and a hygienic storage alternative (e.g., refrigeration or the employee’s own cooler with an ice pack) for the mother’s milk. Where feasible, the space will be dedicated specifically for the expression of milk by lactating mothers. Where dedicated space is not feasible, a mixed-use space will be provided for lactating mothers. Lactating mothers will have priority in cases of mixed space usage. In field locations with limited space options, the site supervisor must work with the lactating mother to identify feasible space and coordinate priority use of that space.

**Breastfeeding in Public Space**

In accordance with [Texas Health and Safety Code § 165.002](http://www.statutes.legis.state.tx.us/Docs/HS/htm/HS.161.htm#161.071), Organization Name recognizes that a mother is entitled to breastfeed her baby in any location in which the mother is authorized to be. Mothers opting for more privacy may use the lactation rooms for breastfeeding.

Employees may make complaints with regard to violation of this policy, in accordance with Organization Name Complaint Policy XXX.

### Policy #5: State Agency

#### Supporting Breastfeeding Employees

Purpose: This policy is intended to provide guidance for managers and employees of the Organization Name to support breastfeeding employees. Because of the documented health benefits breastfeeding provides to mother and baby, and because return-to-work is a common barrier to breastfeeding mothers, Organization Name adheres to the following:

1. A breastfeeding employee is allowed to breastfeed or express milk during work hours, using her normal meal times and compensated breaks. For time needed beyond these usual breaks, and with approval from her supervisor, the employee may arrive at work earlier or stay later than her regular hours. In addition, Organization Name heads or their designees may authorize alternative work schedules, such as flex schedules, compressed work weeks, telework, and   
job-sharing.

2. A private, comfortable room, other than a bathroom, is available for employees to breastfeed or express milk. This room has comfortable seating, access to electricity, and is sanitary. At Organization Name Headquarters, this is referred to as the Moms’ Room, Room Number. Organization Name will provide assistance to establish locations at satellite offices in creating these rooms as needed. If preferred, breastfeeding mothers also have the option to express milk in their private offices or another clean, private room with a locking door, comfortable chair, electrical outlet, and table or shelf, as designated.

3. Breastfeeding employees have access to running water for washing hands and rinsing breast pump parts. Depending on the breastfeeding employee’s place of work, expressed milk can be stored in the refrigerator in the Moms’ Room, company refrigerators in the break room, and/or the employee’s personal cooler.

4. Prenatal and postpartum breastfeeding education and information is available from Organization Name for interested mothers and fathers.

#### Responsibilities:

1. Supervisors are responsible for alerting pregnant and breastfeeding employees about this policy of breastfeeding support. Supervisors are also responsible for allowing breastfeeding employees to adjust their schedules to the greatest extent possible in order to support their efforts.

2. Breastfeeding employees are responsible for coordinating the most appropriate work schedules with their supervisors. An employee wishing to express milk during work hours shall keep her supervisor informed of her needs so that accommodations may be made to satisfy the needs of the employee and the work setting.

3. Breastfeeding employees are responsible for cleaning the areas designated for milk expression after use.

4. In the event that multiple employees are breastfeeding at any given time, it is their responsibility to coordinate use of the private room for milk expression. If no mutual solution can be found, the employees’ supervisors are responsible for scheduling.

5. Breastfeeding employees will label all milk expressed and placed in the Mom’s Room or company refrigerators with their name and date.