

ST. CLAIR COUNTY COMMUNITY MENTAL HEALTH AUTHORITY

ADMINISTRATIVE DIRECTIVE

Date Issued: 02/24

A new Administrative Procedure is in development to implement lactation accommodations. In the interim, this Administrative Directive is effective immediately.

Page 1

CHAPTER Human Resources	CHAPTER 06	SECTION 001	SUBJECT 0170
SECTION Personnel	SUBJECT Lactation Accommodations		
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I. APPLICATION:

- ☐ SCCCMHA Board
- ☐ SCCCMHA Providers & Subcontractors
- ☒ Direct-Operated Programs
- ☐ Community Agency Contractors
- ☐ Residential Programs
- ☐ Specialized Foster Care

II. ADMINISTRATIVE DIRECTIVE:

The purpose of this Administrative Directive is to publish standards and procedures for Lactation Accommodations immediately pending a new Administrative Procedure on the subject. St. Clair County Community Mental Health Authority (SCCCMHA) shall follow the federal requirements set forth by the Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act, which amended the Fair Labor Standards Act in order to provide reasonable accommodations, in a safe environment, to help nursing employees meet their infant feeding goals while at work.

III. DEFINITIONS:

None.

IV. STANDARDS:

- A. All buildings with SCCCMHA employees will have private space for employees to express milk. The space can be a designated room for lactation. If this is not practical or possible, a vacant office, meeting room, or other small area can be used so long as it is not accessible or visible to the public or other employees while the nursing employee is using the space to express milk.
- B. Breastfeeding employees can reasonably expect a space that will:
 - 1. Not be a toilet stall or in a restroom, even if it's a private restroom.
 - 2. Ensure privacy from coworkers and the public.
 - 3. Have a door equipped with a functional lock. If this is not possible, the space will have a sign advising that the space is in use and shall not be accessed by other employees or the public.

CHAPTER Human Resources	CHAPTER 06	SECTION 001	SUBJECT 0170
SECTION Personnel	SUBJECT Lactation Accommodations		

4. If multiple users share the space at the same time, provide a mechanism to ensure privacy between them.
 5. Contains, at a minimum, a chair, an electrical outlet, and a table or other flat surface for each nursing employee.
 6. Other, non-required accommodations may include a sink for washing hands and rinsing out breast pump parts, a refrigerator, anti-microbial wipes, a clock, etc.
- C. Employees are responsible for proper storage of their milk. SCCCMHA is not required to provide refrigeration accommodations; however, should there be a shared refrigerator available, the employee must label all expressed milk containers with their name and date so it is not inadvertently confused with another employee's milk.
- D. SCCCMHA will not provide breast pumps.
- E. Breastfeeding employees will receive reasonable break times to express milk as frequently as needed by the employee. It is expected that, when needed, staff will use their designated paid break times in the AM and PM as well as their scheduled lunch break in order to pump. Should the employee need additional, reasonable time, the employee will work with their supervisor to create a schedule to accommodate current needs. However, SCCCMHA is not required to pay the employee for additional break accommodations and additional breaks shall not be recorded as time-worked. These scheduling accommodations may continue for up to 12-months post birth of child.
- F. Employees with infants 12-months and older will work with their supervisor to establish an approved pumping schedule if pumping needs fall outside of normally scheduled breaks.
- G. Supervisors must consider other factors when determining how they will provide both reasonable break time and space for nursing mothers. For example, factors such as the location of the space and amenities nearby (such as the proximity to employee's work area, availability of sink for washing, location of milk storage, etc.) can affect the length of break an employee will need to express milk.

V. PROCEDURES:

Employee

1. Informs their supervisor of their accommodation needs and keep them aware of any changes in needs.
2. Informs their supervisor if there is no obvious space available to express milk so accommodations can be found.

CHAPTER Human Resources	CHAPTER 06	SECTION 001	SUBJECT 0170
SECTION Personnel	SUBJECT Lactation Accommodations		

3. Displays the appropriate SCCCMHA provided signage outside of pumping space while expressing milk. Removes signage as applicable to setting.
4. Contacts the Human Resources Director should there be any questions regarding accommodations, legal requirements, or SCCCMHA policy related to nursing mothers.

Supervisor

1. Works with nursing employees to ensure appropriate accommodations are available within the SCCCMHA building the employee is working in.
2. Works with nursing employees to identify scheduling adjustments when requested.
3. Requests signage or other accommodation materials from the Human Resources Department in order to maintain appropriate and reasonable accommodations for nursing employees as needed.
4. Contacts the Human Resources Director should there be any questions regarding accommodations, legal requirements, or SCCCMHA policy related to nursing mothers.

VI. REFERENCES:

- A. Fair Labor Standards Act (as amended by the Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act), P.L. 117-328 [BILLS-117hr2617enr.pdf \(dol.gov\)](#)
- B. U.S. Department of Labor Frequently Asked Questions – Pumping Breast Milk at Work [FAQ – Pumping Breast Milk at Work | U.S. Department of Labor \(dol.gov\)](#)

VII. EXHIBITS:

None

VIII. REVISION HISTORY:

Date Issued: n/a