

	<p align="center">Support for Breastfeeding Mothers</p> <p align="right"><i>Adopted 03/11/2020</i></p>
<p align="center">Last Revision Date: 01/24/2024</p>	<p align="center">Policy No. 4.315</p>
<p align="center">Last Enabling Resolution: 014-2024/901-2024</p>	<p align="center">Developer: Division of Human Resources</p>

1. Purpose

The purpose of this policy is to acknowledge the County’s intent to support breastfeeding mothers as set forth by the Federal Fair Labor Standards Act (FLSA), the Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act) and the Pregnant Workers Fairness Act (PWFA).

2. Scope

This policy applies to all Sedgwick County employees.

3. Policy Statement

It is the policy of Sedgwick County to support breastfeeding mothers by providing time and appropriate space to express breast milk and to accommodate medical conditions related to pregnancy.

4. Definitions

- A. **Fair Labor Standards Act (FLSA)** – A federal law which establishes minimum wage, overtime pay eligibility, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in federal, state, and local governments.

- B. **Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act)** – Federal law that requires employers to provide a reasonable amount of break time and a clean, private space for lactating workers to express breast milk for up to one year following the birth of the employee’s child. The space provided may not be a bathroom.

- C. **Pregnant Workers Fairness Act (PWFA)** – Federal law that requires covered employers to provide reasonable accommodations to a worker’s known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship.

- D. **Non-exempt employee** – Employee compensated at an hourly rate of pay in accordance with the FLSA.

- E. **Exempt employee** – Employee compensated at a salary rate of pay in accordance with the FLSA.

5. Procedures

- A. Sedgwick County will support expression of breast milk for up to one year from the date of return to work after the birth of the child.
- B. All mothers wishing to express breast milk will be afforded the opportunity no matter their assigned position.
- C. Breaks:
 - 1. Breaks for the expression of breast milk will be paid consistent with breaks paid to all other employees working the same shift.
 - 2. Additional break time to express breast milk will be unpaid.
 - 3. Unpaid break time requires the employee to be completely relieved from duty.
 - 4. Employees are required to clock out per policy 4.4001 Time and Leave Reporting for unpaid breaks.
 - 5. Breaks to express breast milk should be coordinated with the supervisor.
- D. Space:
 - 1. The County will provide a private space, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public, to be used to express breast milk.
 - 2. The space will provide a place to sit, a flat surface and electricity. It will also be in close proximity to a sink and a refrigerator.
 - 3. Specific locations will be determined on a case by case basis. An employee should contact the supervisor or the Division/Department Director for assistance with determining a location.
- E. Employees who work in multiple locations should make individual arrangements with those facilities to access a space.
- F. Breast milk may be stored in County-owned refrigerators, freezers or other facilities. Each employee should clearly label containers.
- G. Sedgwick County will not tolerate retaliation against breastfeeding mothers who exercise their rights under the FLSA.
- H. Contact the FMLA/ADA Specialist in the Division of Human Resources with questions regarding this policy.