

The Patient Protection and Affordable Care Act (PPACA) amended Section 7 of the Fair Labor Standards Act (FLSA) in regards to break time requirements in the workplace for nursing mothers. In recognition of the well-documented health advantages of breastfeeding for infants and mothers, the University of Central Florida provides a supportive environment to enable breastfeeding employees to express their milk during working hours.

Department Responsibilities

Breastfeeding employees who return to work and choose to continue providing their milk for their infants for up to one (1) year after the child's birth are entitled to:

- **Milk Expression Breaks**

Breastfeeding employees are allowed to express milk during work hours using their normal break and meal times. For time that may be needed beyond the usual break times, employees may use available leave balances (annual or compensatory) or may use leave without pay or make up the time as negotiated with their supervisors (coming in early, staying late).

- **A Place to Express Milk**

A private room shall be available for employees to express milk. A bathroom, even if private, is not a permissible location under the PPACA. The room provided must be shielded from view and free from intrusion from co-workers, the public, or security cameras. The room should be sanitary, located near a sink with running water for washing hands and rinsing equipment, and have an electrical outlet. If employees prefer, they may also express milk in their private office, or in other comfortable locations agreed upon in consultation with the employee's supervisor. Supervisors should review available space in their department and be prepared to provide appropriate nearby space.

- **Supervisor Support**

When supervisors are informed by nursing mothers that they are in need of expression breaks or a location for the break, the supervisor is expected to respond positively and support the employee. Supervisors are encouraged to offer breastfeeding employees the flexibility to adjust meeting times around their scheduled pumping sessions. If for some reason the supervisor cannot respond and support the employee's request, the supervisor should contact Human Resources Employee Relations to discuss the issue. Denials of break time or appropriate locations must be approved by Human Resources Employee Relations.

Employee Responsibilities

- **Communication with Supervisors**

Employees who wish to express milk during the work day shall keep supervisors and managers informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the department. If an employee feels they have been denied appropriate accommodations, they are encouraged to discuss the issues with their supervisor. If they cannot reach a satisfactory resolution contact Human Resources Employee Relations.

- **Maintenance of Milk Expression Areas**

Breastfeeding employees are responsible for keeping milk expression areas clean.

- **Milk Storage**

Each employee is responsible for proper storage (to include labeling) of her milk.

Resources on the Web

- HR Website: www.hr.ucf.edu, click on A-Z Index, see "Work Breaks"
- United States Department of Labor: www.dol.gov, Wage and Hour Division