

HIDALGO COUNTY, TEXAS
ADMINISTRATIVE POLICY MANUAL

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Date Authorized: 08/13/2019
Supersedes: N/A

MOTHER FRIENDLY WORKSITE BREAST-FEEDING POLICY

I. POLICY

The County of Hidalgo finds that breast-feeding an infant is an important and basic act of nurture that must be encouraged in the interests of maternal and child health and family values. Therefore, in compliance with the *Patient Protection and Affordable Care Act*, *The Fair Labor Standards Act*, and the *Texas Health & Safety Code Title 2, Chapter 165*, the County of Hidalgo recognizes that mothers employed by the County are entitled to breast-feed their infant(s) and/or express breast milk for their nursing children at the worksite, and shall support and encourage mothers who wish to continue breast-feeding when they return to work with a county-wide lactation support program.

II. GENERAL REQUIREMENTS

- A. County Departments and Offices shall provide reasonable break time for a mother to express milk for a nursing child for up to 1 (one) year after the child's birth at each time such employee has need to express the milk.
- B. County Departments and Offices shall 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 a mother to express breast milk.
- C. County Departments and Offices shall also provide access to a clean, safe water source and a sink for washing hands and rinsing out any needed breast-pumping equipment.
- D. Mothers may use any refrigerator designated for employee use.
- E. Supervisors are responsible for alerting pregnant and breast-feeding mothers about the Department's worksite lactation support program, and for negotiating practices that will help facilitate each mother's infant feeding goals.
- F. County Departments and Offices shall assist in providing a positive atmosphere of support for breastfeeding mothers.

III. TIME AND LOCATION OF BREAK

- A. County Departments and Offices shall provide a reasonable amount of break time to express milk as frequently as needed by the nursing mother. Supervisors shall consider the frequency of breaks needed to express milk as well as the duration of each break will likely vary, and shall manage department or office operations accordingly.

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- B. A bathroom, even if private, is not a permissible location. The location provided must be functional as a space for expressing breast milk. If no space can be dedicated solely for the nursing mother's use, an appropriate location must be made available when needed. A space temporarily created or converted into a space for expressing milk or made available when needed by the nursing mother is sufficient provided that the space is shielded from view, and free from any intrusion from co-workers and the public.

IV. COVERAGE AND COMPENSATION

As permitted by current County policy, mothers may receive compensation when breast-feeding during break periods. However, in accordance with the Biometric Electronic Clock Policy, break times which exceed more than twenty (20) minutes, may require the employee to submit request for modification of their Time and Attendance Record.

V. PROCEDURES

- A. Employees must request the need for a break for the purpose of expression of milk to their immediate supervisor/manager. If necessary, the employee must also notify the supervisor/manager when leaving the designated work area to express milk.
- B. If anticipated, employees must request authorization from their manager/supervisor when taking more than the scheduled break time.
- C. All current County policies related to rest and lunch breaks shall be followed.

VI. EMPLOYEE RESPONSIBILITIES

- A. Employees must communicate breast-feeding needs to their supervisor/manager and, to the extent practicable, prearrange agreeable times for breaks for expression of milk during work regular hours.
- B. Employees should only use designated lactation areas.
- C. Employees are responsible for bring their own pumping supplies, provide their own containers and clearly label the containers stored in the refrigerator with name, date and time.
- D. Employees shall be responsible for securing their pumping supplies after use and cleaning, and taking supplies with them at the end of each work day.

VII. SUPERVISOR RESPONSIBILITIES

Supervisors/managers shall become familiar with this policy and shall work with the nursing employee to:

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- A. Provide reasonable break times to express milk;
- B. Designate a place other than a bathroom that is shielded from view and free of interruption by coworkers and the public; and
- C. Provide access to a clean, safe water source and a sink.

The County of Hidalgo shall support and encourage mothers who wish to continue breast-feeding when they return to work, and prohibits any form of discrimination or retaliation against any mother on the basis of exercising any rights conveyed through the County's Mother Friendly Worksite Breast-Feeding Policy.