

44258280 - NURSING MOTHERS (renumbered)

As required by Federal law, the School Board shall take steps necessary to support staff members who decide to breastfeed their infants by providing additional unpaid break time, as necessary, for lactating employees to express breast milk for their infants on District premises.

Prior to returning to work from maternity leave, it shall be the employee's responsibility to notify her supervisor of her intent to continue breastfeeding her infant(s), and of her need to express milk during work hours. Further, it shall be the responsibility of the employee to keep her supervisor informed of her needs in this regard throughout the period of lactation.

The building administrator shall designate a private area, other than a restroom, where an employee can express breast milk. The designated area shall be a space where intrusion from coworkers, students, and the public can be prevented, and one where an employee who is using this area can be shielded from view.

An employee can express milk during regularly scheduled break periods. The Principal or employee's supervisor shall make an accommodation if the time of regular breaks needs to be adjusted or if additional and/or longer breaks are needed. In the event that more breaks are needed or the break(s) need to be longer than legally required, the additional time required shall be unpaid, and the employee's work schedule or work day shall, therefore, be modified accordingly. The Principal, or the employee's supervisor, shall work with the employee to make these necessary modifications.

The School Board supports employees who choose to express breast milk. When any employee has notified their supervisor of the employee's intent to express breast milk during the workday, the [X] Principal & Superintendent [] [END OF OPTIONS] shall make necessary arrangements to provide the following:

- A. an appropriate location that is suitable for expressing breast milk;

The location must be shielded from view and not accessible during usage by any other person. The location provided may not be a bathroom.

- B. a reasonable amount of time to complete the activity based on an established schedule of frequency the employee requires. The employee is responsible for providing a schedule of frequency and for completing the process efficiently.

Additional requests from a covered employee for assistance in developing procedures for the employee's need to express breast milk under this policy should be addressed to a building administrator. Reasonable efforts will be made to facilitate full access to the benefits of this policy.

A participating employee must record time spent expressing breast milk at work [] which will be recorded as unpaid time, unless the employee also performs work related responsibilities during this time [END OF OPTION]. [DRAFTING NOTE: the law does not require employers to pay employees during time provided to express breast milk unless it would otherwise pay an employee for the same amount of break time for other reasons. This applies to both exempt and non-exempt employees such that a Board may determine that it is easier to consider break time under this policy as compensable time and under Florida law, exempt employees may be entitled to compensation even while taking advantage of these benefits. If the District wishes to establish unpaid break times, it should consult the District's legal counsel.] Any employee who opts to express breast milk is entitled to the benefits of this policy.

Any employee who has provided notice of the need to express breast milk at work and has complied with the responsibilities of doing so in this policy is eligible to do so for up to [x] one (1) calendar year [minimum required by law] [] [END OF OPTION] from the birth of the child. [DRAFTING NOTE: The law requires one (1) year, but some professional medical organizations recommend supplementing solid foods with breastmilk until the age of 2.]

No employee who requires break time to express breast milk consistent with this policy shall be subjected to retaliation or any form of adverse treatment for doing so.

Any employee who feels they have been denied adequate protections or feels they have been retaliated against or otherwise treated unfairly as a result of availing themselves of the rights described in this policy shall report such concerns to the Superintendent. Any such report shall specify the alleged deficiency and desired resolution so that the Superintendent may provide an appropriate resolution, within ten (10) calendar days of the report.

The benefits described in this policy shall be administered concurrently with other benefits, such as Family Medical Leave Act (FMLA) rights.

This policy does not apply to students. Any student who is expressing breast milk following the birth of a child should contact the Student Services Director Principal [END OF OPTION] to discuss arrangements to enable the student to do so.