



HUMAN RESOURCES MANAGEMENT POLICY

LACTATION SUPPORT

Policy 37

NOTE: THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE MEDICAL UNIVERSITY OF SOUTH CAROLINA (MUSC). MUSC RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

I. POLICY

It is the policy of the MUSC to follow the [Fair Labor Standards Act \(FLSA\)](#) and [Patient Protection and Affordable Care Act](#) to provide “reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child’s birth each time such employee has need to express the milk”. Employers are also required to 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 an employee to express breast milk”.

Note: MUSC University and MUSC Health have separate policies that mirror one another but will differ in disclaimers and definition of break time due to specific leave usage policies and use of individual entity names throughout.

The contents of this policy reflect the University.

II. ACCOMMODATION

A. Location

1. MUSC is responsible for providing employed nursing mothers with reasonable accommodations for expression of milk. A bathroom, even if private, is not a permissible location. The location provided must be functional as a space for expressing breast milk. If the space is not dedicated to the nursing mother’s use, it must be available when needed in order to meet the statutory requirement. 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.

- 2. A lactation room should contain the following basic items:
 - a. Supportive chair;
 - b. Table;
 - c. Easily accessible electrical outlet;
 - d. Door that can be locked from the inside; and
 - e. Ideally, a sink if possible.

B. Break Time

- 1. Employers are required to provide a reasonable amount of break time to express milk as frequently as needed by the nursing mother. The frequency of breaks needed to express milk as well as the duration of each break will likely vary.
- 2. Prior to returning to work after the birth of a child, nursing employees are responsible for contacting their managers to request lactation support in the workplace. The estimated frequency and duration of break to express milk should be communicated.
- 3. Managers who receive a lactation accommodation request are expected to share with the employee the Lactation Support Policy and available lactation rooms.
- 4. Nursing mothers should utilize break time already provided for the purpose of expressing milk. Mothers should be accountable for time needed over allotted breaks. When additional time is needed the appropriate leave must be used and noted in Kronos.
- 5. Managers should insure there are no negative consequences to nursing mothers who need a break.

Approved By	Information Contact	Approved
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