

Lactation Support at Work: Indiana Employer Lactation Program Guide

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Organization



Subsidiary of the
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Workplace and
Community Well-
Being



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Objectives

- The Importance of Workplace Lactation Support
- Implementing a Compliant, Inclusive and Sustainable Program
- Guide Resources Overview

The Surgeon General's Call to Action to Support Breastfeeding, identified the following as barriers:

- Inflexibility in their work hours and locations
- Lack of privacy for breastfeeding or expressing milk
- No place to store expressed breast milk

Accommodating Nursing Mothers at Work is the LAW

Federal Lactation: Accommodation Laws

- Fair Labor Standards Act (FLSA) and its amendments by the Pump Act 2022 29 U.S.C. § 218d
- **Requirements:**
 - Reasonable break time for an employee to express breast milk
 - A private space
- **Exemptions:**
 - Employers fewer than 50 employees, if compliance would cause *undue hardship*
 - Air carrier crewmembers and certain rail and motorcoach employees

Indiana Laws: Beyond the Federal Requirements

- Ind. Code Ann. § 22-2-14-2
- *Addition to Federal Requirements:*
 - Employer must provide a refrigerator or other cold storage for keeping expressed breast milk or allow the employee to provide her own cold storage device for keeping expressed breast milk

Good for Business!

3 to 1 Return on Investment Due to:

- Lower health care costs
- Reduced rate of absenteeism
- Lower turnover rates
- Improved employee productivity and loyalty

Health Impacts of Breastfeeding:

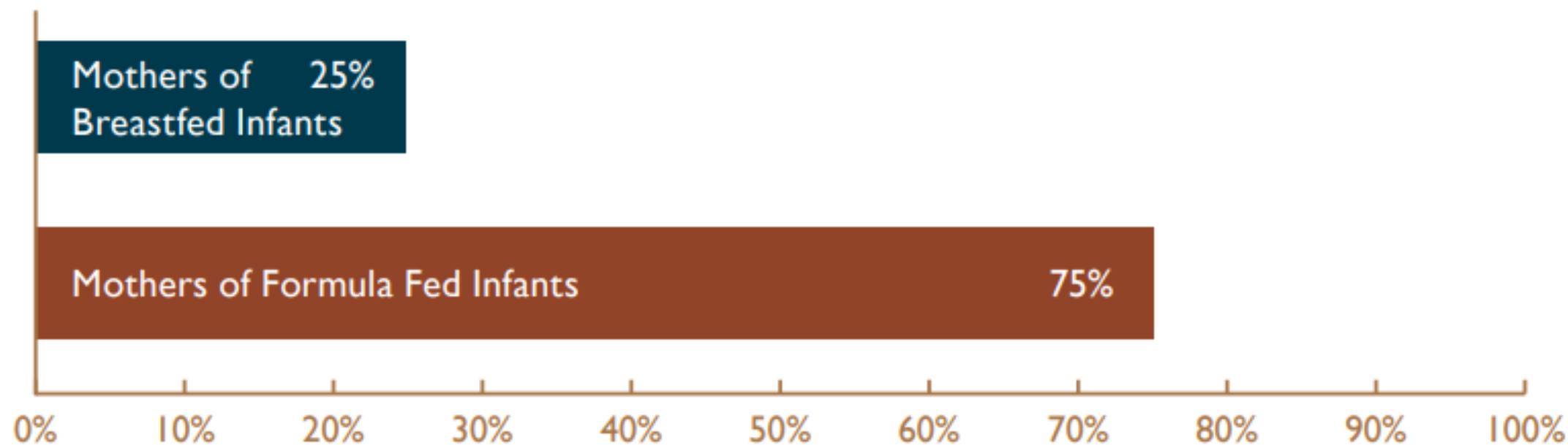
Mom

- Faster recovery from pregnancy and childbirth
- Lower risk of breast and ovarian cancer
- Less likely to develop diabetes and cardiovascular disease
- Lower risk of osteoporosis

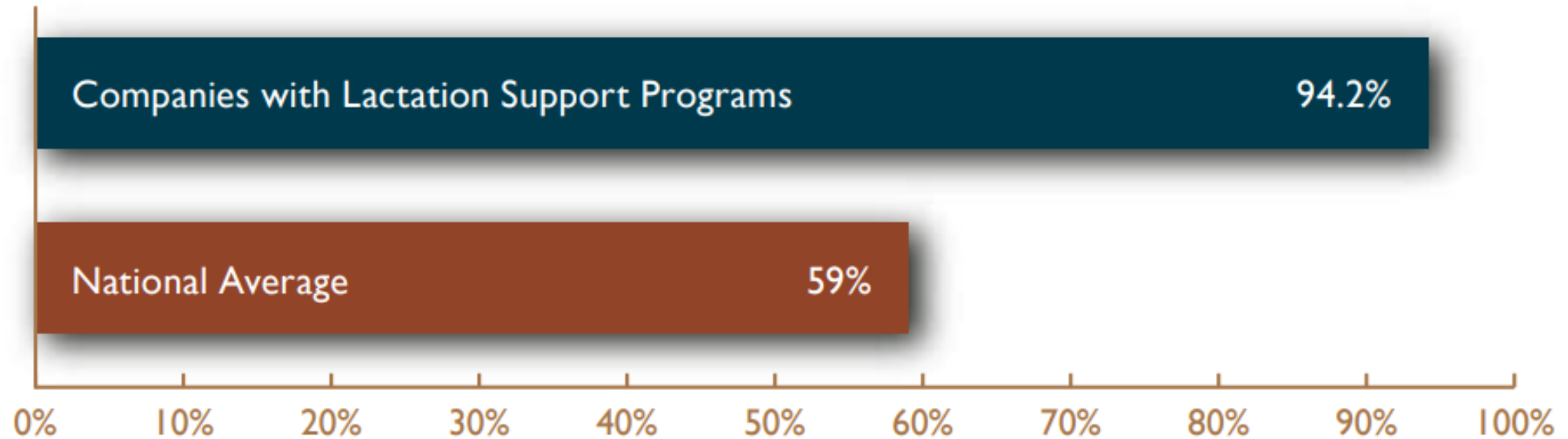
Baby

- Lower risk of Infections and illnesses, such as; ear infections, respiratory infections, dermatitis, and gastrointestinal disorders

Percentage of Infant Illnesses Requiring 1-Day Maternal Absence from Work¹



Retention Rate for Employees of Companies with Lactation Support Programs



Best Practices for Employers



ROOM
ESSENTIALS



TIME



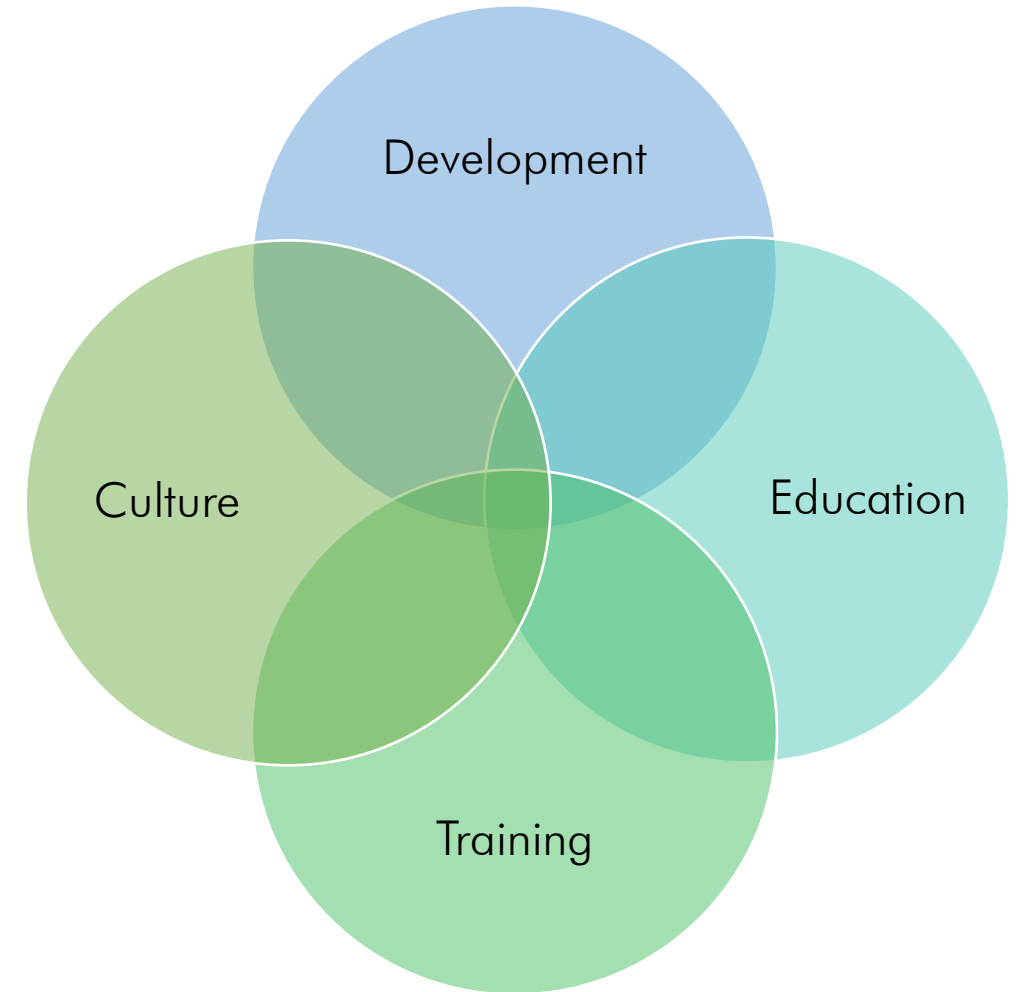
EDUCATION



SUPPORT



INCLUSIVE
WORKPLACE
POLICIES



Getting Started

Assess

- Employee Survey
- Space Audit

Buy-in

- Secure Leadership Buy-In
- Form a Committee

Timeline

- Develop Implementation Plan
- 6 Month Timeline

Policy Development



Space and logistics



Non-discrimination and confidentiality



Quality control



Communicating the policy effectively



INDIANA EMPLOYER LACTATION PROGRAM GUIDE

Sample Lactation Policy

[Company Name] Lactation Accommodation Policy

Purpose

[Company Name] is committed to supporting our employees who are breastfeeding or expressing milk. This policy outlines the accommodations provided to ensure a comfortable and private environment for lactating employees in compliance with federal and Indiana state laws.

Scope

This policy applies to all employees, regardless of position or employment status, who need lactation accommodations.

Policy Guidelines

1. **Break time for lactation:**
 - a. Employees are entitled to reasonable break time to express breast milk for their infant for up to one year after the child's birth
 - b. Break times may run concurrently with regularly scheduled breaks when possible
2. **Lactation space:**
 - a. A private, secure and sanitary space (other than a restroom) provided for employees to express milk
 - b. The space will include a chair, table, electrical outlet and access to refrigeration for milk storage
3. **Communication:**
 - a. Employees should inform their supervisor or HR representative of their need for lactation accommodation
 - b. Open communication is encouraged to ensure accommodations meet employee needs
4. **Storage of breast milk:**
 - a. A designated refrigerator will be available for storing expressed milk. Employees should label containers with their name and date.
5. **Manager and supervisor training:**
 - a. Supervisors will receive training on this policy to ensure compliance and to foster a supportive workplace culture
6. **Non-discrimination and retaliation:**
 - a. Employees will not be discriminated against or retaliated against for requesting or using lactation accommodation

Procedure for requesting lactation accommodations:

1. Employees should contact their supervisor or HR representative as soon as they know they will need lactation accommodations
2. Supervisors and HR will work together to identify appropriate lactation space and schedule breaks
3. Any concerns regarding accommodations should be reported to HR immediately

Policy review:

This policy will be reviewed annually to ensure compliance with legal requirements and alignment with employee needs. For questions regarding this policy, please contact [HR contact information].



Sample Policy

Design Lactation Spaces

- **Basic Room Essentials:**
 - Private, clean, well-equipped, and accessible
- **Essential Components of a Lactation Room:**
 - Chair, flat surface, electrical outlet, lock on door, access to nearby running water, easily access to a refrigerator, and room usage schedule

Room Options:

- **Private Office**
 - Consider: Sign if door does not lock, interior glass, etc.
- **Sectioned off portion of a room**
 - Consider: Temporary walls in conference room, ideal if permanent space is not feasible. Scheduled time.
- **Single User Room**
 - Consider: Converting rarely used storage or empty office.
- **Multi-User Room**
 - Consider: Cubicle partitions or curtains in large room. All stations need electrical outlet.
- **Portable Pods or Pop ups**

RETAIL STORES



- Dressing room converted into a lactation space
- Manager's office
- Converted utility closet
- Partition or privacy screen in an employee lounge or other area
- Private area constructed in the corner of the warehouse using cubicle-type partitions or metal shelving and plywood
- Small room or area in the back of the store
- Shared space with other stores (ex: a mall or shopping center lactation room that can be shared by several retail stores)
- Planned coverage during nursing breaks while the employee is not on the floor; scheduled breaks planned in advance and use of "floaters" can help

RESTAURANTS



- Manager's office
- Converted utility closet
- Partition or privacy screen in a corner of the kitchen area
- Working with the employee to arrange for a caregiver to bring baby to the work setting for feedings

- Allowing the employee to work "split shifts" by working during the busier lunch and dinner periods and going home between shifts to breastfeed the baby directly
- Planned coverage while employee is taking a nursing break; scheduled breaks planned in advance can help

SMALL BUSINESSES



- Manager's office
- Partition or privacy screen
- Small room or area in the back of the business
- Converting small storage space area into a temporary lactation room

- Shared space with other nearby small businesses
- Working with the employee to arrange for a caregiver to bring baby to the work setting for feedings.

AGRICULTURE OR CONSTRUCTION SITE



- Pop-up privacy tent
- Constructing a portable structure for privacy
- Small travel trailer

- Manager's office in a portable building
- Taking scheduled breaks that are planned in advance

MANUFACTURING PLANT



SOURCE: UNITED STATES BREASTFEEDING COMMITTEE

- Scheduled breaks that are planned in advance
- Use of “floaters” to cover when nursing breaks are needed
- Private offices of managers, foremen, or other personnel

- Small spaces converted into milk expression areas
- Constructed space using cubicle partitions or metal shelving and plywood

HEALTH CARE AGENCIES



- Empty patient or exam room(s)
- Closet or storage area that is not always in use
- Office of a supervisor or manager

- Conference or board room
- Converted utility closet

HOTELS



- Empty guest room
- Unused meeting room



- Converted utility closet
- Office of a supervisor or manager



EMERGENCY PERSONNEL



- Emergency medical technicians: back of an ambulance not in use
- Police officers: private office of another officer or temporary assignment to desk duty

- Fire fighters: partition that provides privacy, office of the fire chief or other personnel
- Locating lactation rooms in key locations throughout the community

SCHOOLS



SOURCE: UNITED STATES BREASTFEEDING COMMITTEE

- Coverage provided by the principal, assistant principal, guidance counselor, teacher aids, or other personnel
- Small closet converted for dedicated lactation space
- Private space in the school nurse clinic, guidance counselor's office, principal's office, rooms used by speech therapist or other staff, or another small space

Milk Storage:

Option 1: Public Shared Refrigerator

Option 2: Personal Cooler

Option 3: Company Provided Mini Refrigerator

Time and Flexibility

- **Basic Needs:**
 - Two to three 15-20 minute breaks within an 8-hour workday (including time to reach the designated site).
- **Flexible Options:**
 - Utilize regular breaks and the lunch period.
 - Understand, right after maternity leave, women need to express milk more often. When babies begin solid food they nurse less. Babies also go through growth spurts. –Importance of ongoing dialogue.

Scheduling



- **Options:**
 - Dry Erase Board - On exterior of door
 - Shared Calendar - Managed by the HR department for privacy
- **Consider:**
 - Surveying employees who are or will be using services to determine which method they are most comfortable.

Education and Training

- Training for Manager and HR
 - Prenatal information on breastfeeding
- HR Checklist
- Lactation Welcome Packet
 - Policy
 - Handbook
 - FAQ
 - Resource List
 - Non-Birthing Parent Welcome Guide

Building a Supportive Culture

Lactation accommodations reflect a mother-friendly workplace

1. Having a formal lactation support policy
2. Train supervisors and managers about lactation accommodations
3. Develop an onboarding program for mothers returning from leave
4. Support employees mental health

Maternal Onboarding Program

- **Lactation Policy Discussion:** Discuss the company's lactation policy.
- **Positive Acknowledgment:** Offer praise and support for the employee.
- **Supervisor Support Assurance:** Ensure the employee of their supervisor's support.
- **Work/Break Schedule Review:** Assess the work schedule for milk expression needs.
- **Coverage Arrangement:** Arrange for coverage if required.
- **Private Space Identification:** Identify a suitable, non-bathroom space.
- **Feedback Collection:** Seek input from the employee and their supervisor for ongoing improvements

Supporting Parental Mental Health

- 1 in 5 women and 1 in 10 men experience depression or anxiety during the perinatal period. Perinatal mental health disorders are the most common complication of childbearing in the US.
 - Postpartum Support International
- **Employer Support Opportunities:**
 - Make mental healthcare accessible for employees
 - Put return-to-work plan in place
 - Check in with new parents!

Supporting Non-Birthing Parents

- Parental Leave and Flexibility
- Communications- Acknowledging all parents in materials and policies
- Provide resources for all new parents
- Integrate non-birthing parent support into lactation or parental resources.
- *Non-Birthing Parent Welcome Guide*

Frequently Asked Questions

- ☐ Are we required to provide a designated lactation room?
- ☐ Must time taken to express milk be paid?
- ☐ Can more than one person share the lactation room?
- ☐ What is the liability risk?



Wellness Strategy Consultations

Get connected to education, strategic guidance, best practice sharing and resources

The Wellness Council of Indiana currently provides free, virtual consultations to Indiana workplaces that focus on:

Mental Health

Obesity

Maternal Health

Diabetes

Tobacco

Sign-up to scheduled yours today!

Survey

Questions?



Thank you.