Lactating and Breast/Chest Feeding Employees
HR-11-50

About This Policy

Effective Dates:
10-14-2008

Last Updated:
08-13-2021

Responsible University Administrator:
Vice President for Human Resources

Policy Contact:
IU Human Resources
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Scope

This policy applies to all staff and temporary employees.

Policy Statement

Indiana University promotes a supportive, respectful, and healthy work environment for all employees, including those who are lactating and breastfeeding.

Reason For Policy

To support lactating employees who need a private space to express breast milk while at work.

Indiana Codes 5-10-6-2 and 22-2-14-2 require reasonable paid break time for expressing milk and a reasonable effort to provide a private space other than a toilet stall.

In addition, the Fair Labor Standards Act (FLSA), as amended, requires employers to provide an employee with a reasonable break time and a place for an employee to express milk.

Procedure

1. To the extent reasonably possible, units should provide a location where an employee can express breast milk in private.
   a. The location can be a room designated just for this purpose, the employee’s private office, a private office not in use, or any area other than a restroom where the employee can have privacy from others.
   b. The room should be well lighted and no smaller than 4’ X 5’ with a door that locks from the inside. If the door has no lock, proper signage must alert others when the room is occupied.
   c. The room should have a comfortable chair, small table, or shelf to place supplies and a pump, an easily accessible electrical outlet, and a waste bin. If possible, the room should have or be located near a source of hot and cold water for washing hands, pump supplies, and containers.

2. The employee may provide their own portable cold storage device, or to the extent reasonably possible, units may provide access to a refrigerator located in the building.

3. The time needed to express milk is paid time if it occurs during work hours. Supervisors must allow reasonable break time and flexibility to accommodate the employee’s needs.

Sanctions
Managers, supervisors, and employees who violate this policy are subject to disciplinary action, up to and including termination.

**History**

**August 2021**

IU HR completed a full and substantive review to assess the ongoing need and effectiveness.

**2010**

The Patient Protection and Affordable Care Act (PPAC) amended the Fair Labor Standards Act (FLSA) to provide an employee a reasonable break time and a place for expressing breast milk.

**2008**

The Indiana Legislature enacted statutes supporting employees who need to express breast milk while at work. In addition, to the extent reasonably possible, an employer should provide a private location, other than a toilet stall, where an employee can express breast milk.

**Related Information**

- Healthy IU Maternal Health & Lactation Support
- How to Support Lactating Employees