

SECTION 6.6

WORK BREAKS & BREAKS FOR NURSING MOTHERS

A. Work Breaks

The Fair Labor Standards Act does not require any breaks other than for nursing mothers. Breaks are determined by each Department Head/Elected Official and are not required. If your department provides you with a break, the time may not be accumulated or used for time off.

B. Breaks for Nursing Mothers

Jefferson County supports the practice of expressing breast milk and will make reasonable accommodations for the needs of employees who express breast milk.

In accordance with the Patient Protection and Affordable Care Act and the amended section 7 of the Fair Labor Standards Act, employers are required to provide reasonable break time for nursing mothers to express breast milk during the first year following the birth of a child. Nursing mothers will be allowed whatever time is needed to express breast milk. However, if the time required to express breast milk exceeds a total of 30 minutes daily, the excess break time will be unpaid time off. If the employee has accrued vacation, personal, or comp time available, they may be allowed to use it at the Department Head/Elected Official's discretion.

Two weeks prior to returning to work, the nursing mother shall notify the Human Resources Department and the Department Head/Elected Official in writing that they will require the use of the nursing mother break.

Nursing mothers will be provided a private location, other than a bathroom, to express breast milk. The location will be shielded from view and free from intrusion and appropriate for expressing breast milk. The specific location will be determined on a case-by-case basis by the employee's Department Head/Elected Official.

It is the policy of Jefferson County that retaliation against nursing mothers for asking for express breast milk breaks or taking such breaks is prohibited.