

 Policy #: HR-21	Effective Date: 3/23/17	Page #: 1 of 2
Ref #: <u>Wis. Stat. § 944.17(3), § 944.20(2) and § 948.10(2)(b) 2009 Wis. Laws, Act 148</u>	Policy Council Approval Date: 3/15/17 BOD approval Date: 3/23/17	Revision Date: Review Date: 2/2020, 9/2021, 6/17/22, 7/18/23

SUBJECT: Program Breastfeeding (nonemployee)

POLICY:

RWCFS provides a supportive environment so that nursing mothers can breastfeed or express milk for their baby in a room provided for them or in any location where the mother and child are otherwise authorized to be. In support of being a Breastfeeding Friendly Facility, RWCFS will also provide new staff with the necessary training to support breastfeeding mothers and infants.

PROCEDURE:

Location:

At our Henry Ave and our Hobbs Drive sites, RWCFS will have a private room/space available (not a toilet stall or restroom) for employees to express milk. The room will be private and clean and have an electric outlet and running water available. In all other sites, RWCFS will make an effort to provide a private room/space for employees to express milk.

Equipment:

Each nursing mother will provide her own equipment for expressing milk including breast pump and storage containers.

Training:

New staff orientation will include the breastfeeding policy and staff will be appropriately trained within six months of their hire date. Staff who are responsible for the care of infants and children will provide breastfeeding information and support to help mothers continue breastfeeding when working or going to school. Staff will be trained on how to work with family members to develop babies' individual breastfeeding support plans and regularly update these plans. Staff will be instructed on how best to promote exclusive breastfeeding until babies are about six months old with continued breastfeeding to one year and beyond. Fathers will also be included in discussions about breastfeeding.

The breastfeeding policy and practice materials will be included in the Center's information package while current and prospective parents will be encouraged to drop in and view the breastfeeding friendly environment.

RWCFS will provide learning activities that incorporate the concept that animals have baby animals of the same kind and have special ways they are prepared to care for them, including how they are fed. The center will offer children's books that contain pictures of breastfeeding, play dolls that are nursing and other learning experiences that normalize breastfeeding.

Members of the work group will maintain connections with the local breastfeeding coalition and exchange information with the coalition, WIC, UW-Extension, schools, and health care providers. RWCFS will maintain an updated resource file of community breastfeeding services and resources in an accessible area for families. All breastfeeding mothers will be given contact details of community based breastfeeding support groups, breastfeeding peer counselors, and

lactation specialists. Mothers who are having breastfeeding concerns will be referred to these community resources. Printed or electronic lactation resources will be available to breastfeeding clients and employees. Breastfeeding mothers who are interested, will be given contact details of the community based breastfeeding support group.

The Law: Federal Health Reform and Nursing Mothers

President Obama signed the Affordable Care Act (ACA) on March 30, 2010. (See the combined full text of Public Laws 111-148 and 111-152) Among many provisions, Section 4207 of the law amends the Fair Labor Standards Act (FLSA) of 1938 (29 U.S. Code 207) to require an employer to provide reasonable break time for an employee to express breast milk for her nursing child for one year after the child's birth each time such employee has need to express milk. The employer is not required to compensate an employee receiving reasonable break time for any work time spent for such purpose. The employer must also provide a place, other than a bathroom, for the employee to express breast milk. If these requirements impose undue hardship, an employer that employs fewer than 50 employees is not subject to these requirements. The federal requirements shall not preempt a state law that provides greater protections to employees.

Wisconsin

Wis. Stat. § 944.17(3), § 944.20(2) and § 948.10(2)(b) (1995) provide that breastfeeding mothers are not in violation of criminal statutes of indecent or obscene exposure. (AB 154)

2009 Wis. Laws, Act 148 provides that a mother may breastfeed her child in any public or private location where the mother and child are otherwise authorized to be. The law specifies that in such a location, no person may prohibit a mother from breastfeeding her child, direct a mother to move to a different location to breastfeed her child, direct a mother to cover her child or breast while breastfeeding, or otherwise restrict a mother from breastfeeding her child. (2009 AB 57)

MONITORING: The EHS Child Development Manager (at the Henry Ave site) and the Walworth County Site Team Leader (at the Hobbs Drive site) will monitor the use of the room and make sure that the room is stocked with the needed materials and used properly as well as the needed training for current and new staff.