




Policy Title	Support for Lactating Parents
Effective Date	December 6, 2024
Supersedes	May 9, 2012
Approval	 Matthew A. Brown State Personnel Director
References	IC 5-10-6-2 IC 22-9-12 PUMP for Nursing Mothers Act (PUMP Act) of the Fair Labor Standards Act, 29 U.S.C. 218 Executive Order 21-10: Accommodations for Pregnant State Employees

PURPOSE

To provide guidelines to agencies for meeting the needs of employees who need to express breast milk for the nutritional needs of their infant child.

SCOPE

This policy applies to employees under the authority of the Governor and Lieutenant Governor. Separately elected officials are encouraged to adopt this or a similar policy.

POLICY STATEMENT

The state will provide reasonable opportunities and locations for those employees needing to express breast milk for the nutritional needs of their infant child while meeting the operational needs of state agencies.

DEFINITIONS

Cold Storage Unit: means an appliance or device for maintaining breast milk at a safe, sanitary temperature for the duration of a scheduled work shift. This may be provided by the employee or a general use appliance available to all employees at the worksite.

Infant Child: means a child from date of birth to two years of age.

Lactating Parent: means an employee who needs to express breast milk for her infant child.

RESPONSIBILITIES

Employees who are Lactating Parents are responsible for:

- Notifying their supervisor of the need to have breaks and a location in the workplace for expressing breast milk and obtaining approval;
- Working with their supervisor to establish a reasonable break schedule for this purpose that

should, whenever possible, run concurrently with any break and/or meal periods already designated for the Lactating Parent and/or worksite;

- Adhering to the established schedule of breaks;
- Providing their own apparatus for expressing breast milk;
- Clearly labeling any/all container(s) of expressed breast milk stored in an agency-provided Cold Storage Unit and removing such containers daily from the workplace, or providing their own Cold Storage Unit;
- Using only approved locations to express breast milk; and
- Ensuring that the location designated to implement this policy is in clear, ready-for-next-use condition following each use

Supervisors are responsible for:

- Working with Lactating Parents to establish reasonable break schedules; and
- Ensuring Lactating Parents are released from their duties for these breaks in accordance with the established schedule while meeting agency operational needs.

Agency HR is responsible for:

- Providing guidance to supervisors and employees on the requirements of this policy and instructions to employees on where to access the nearest lactation room.

Appointing Authority or Designee is responsible for:

- Providing reasonable breaks for the purpose of expressing breast milk while meeting agency operational needs;
- Making reasonable efforts to provide a clean location that is shielded from view, free from intrusion from coworkers and the public, and as close in proximity to the work area and cold storage as is reasonably possible for Lactating Parents who need to express breast milk for their infant child;
- Setting up a process for Lactating Parents to request breaks and a location and distributing notice of that process to employees to implement the purpose of this policy;
- Providing basic cleaning supplies for the location used for this purpose;
- Working with the Department of Administration or other appropriate entity (e.g., landlord) to regularly sanitize or clean the identified location based on frequency of usage; and
- Ensuring no employee is retaliated against for requesting or taking reasonable breaks to express milk for their Infant Child

PROCEDURES

All agencies shall implement specific procedures to accommodate Lactating Parent's requests under this policy. All procedures adopted must be consistent with this policy.

Break Time

All agencies will provide reasonable break times each day to Lactating Parents who need to express breast milk for their Infant Child. Whenever possible, breaks for this purpose must run concurrently with other breaks the lactating Parent is authorized to take during the workday/shift. If such breaks extend into regular work time, that portion is not compensable as regular work and may be covered by approved accrued leave, flex time, or authorized leave without pay.

While specific needs may vary, generally speaking, breaks of up to 30 minutes once every three hours are anticipated. However, a break time of more than 30 minutes may be reasonable depending on factors such as the amount of time to visit and return from the designated space, whether the employee has to retrieve a pump and/or other supplies from another location, whether the designated location is without a sink or running water, or whether cold storage for the milk is provided in a different location.

Location

All agencies are responsible for providing a clean location, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public and as close in proximity to the work area and a Cold Storage Unit as is reasonably possible, where a Lactating Parent can express breast milk. Agencies who have offices that are centrally located may utilize the lactation rooms managed by IDOA.

- The location provided for expressing breast milk cannot be a bathroom.
- The location must provide:
 - A clean, private space;
 - Chair;
 - Table or flat surface;
 - Door which can be locked from the inside;
 - Cold storage unit (such storage can be provided in another location at the work site but must be provided if the Lactating Parent(s) does not provide their own cold storage unit);
 - An electrical outlet; and
 - Nearby access to running water.

There is no requirement that a dedicated room be set aside solely for the use of milk expression. Employees may contact their human resources representative for a list of locations for expressing breast milk.

FORMS & RESOURCES

[Optional Anticipated Break Schedule & Location Form - State Form 57580](#)

[Support for Lactating Parents Website](#)

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