



Supporting Worksite Lactation

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Texas Department of State Health Services

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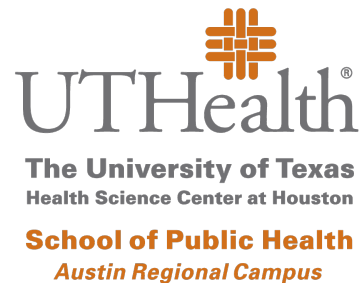
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Overview

- Texas Mother-Friendly
 - Technical Assistance and Support Program
 - Email us at info@texasmotherfriendly.org



Today's Speaker



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Outline

- Components of a standard Texas Mother-Friendly Worksite policy
- Sample policy language, policy development and implementation
- Criteria for Silver and Gold level Texas Mother-Friendly Worksite designations
- Questions

Texas Mother-Friendly Worksite Program Goal

Provide guidance, tools, and support for development of worksite lactation support policies and programs that are:

- Responsive to needs of employees and their babies
- Feasible and sustainable for employers
- Beneficial for the health of Texans



Worksite lactation support

Definition: Basic arrangements that allow mothers to comfortably express and store breastmilk when separated from their babies during the work day.



Public Health Case

- Breastfeeding is the standard for infant feeding and protects infants and children from many significant infectious and chronic diseases.
- Women who breastfeed have a reduced risk of breast and ovarian cancers, type 2 diabetes, postpartum depression, and cardiovascular disease.
- \$31.2 billion of direct health care costs and 911 children's lives would be saved annually if 90% of women were able to breastfeed according to medical recommendations.

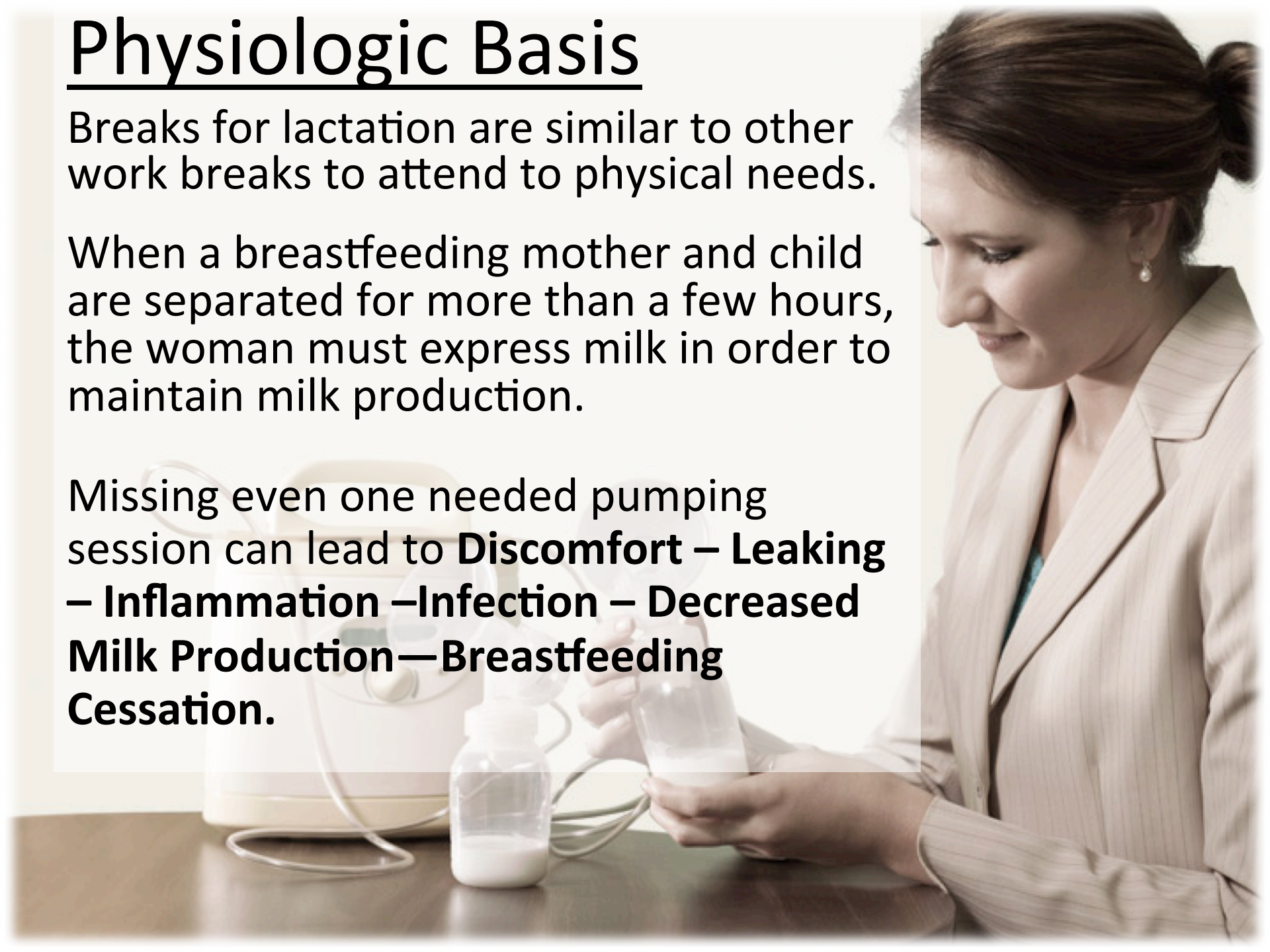


Physiologic Basis

Breaks for lactation are similar to other work breaks to attend to physical needs.

When a breastfeeding mother and child are separated for more than a few hours, the woman must express milk in order to maintain milk production.

Missing even one needed pumping session can lead to **Discomfort – Leaking – Inflammation – Infection – Decreased Milk Production – Breastfeeding Cessation.**



Business Case

- Lactation programs are cost-effective, showing a \$3 return on \$1 investment.
- By supporting lactation at work, employers can reduce turnover, lower recruitment and training costs, cut rates of absenteeism, boost morale and productivity, and reduce health care costs.
- Lactation accommodation is not one-size-fits all. Flexible programs can be designed to meet the needs of both the employer and employee.



Legal Basis

Federal FLSA *Reasonable Break Time for Nursing Mothers* (DOL)

An employer must provide reasonable break time each time a mother has a need to express breast milk and a place that is not a bathroom that is “shielded from view and free from intrusion” to express breastmilk.

Pregnancy Discrimination Amendment, Title VII of the Civil Rights Act (EEOC)

An employee must have the same freedom to address such lactation-related needs that she and her co-workers would have to address other similarly limiting medical conditions.

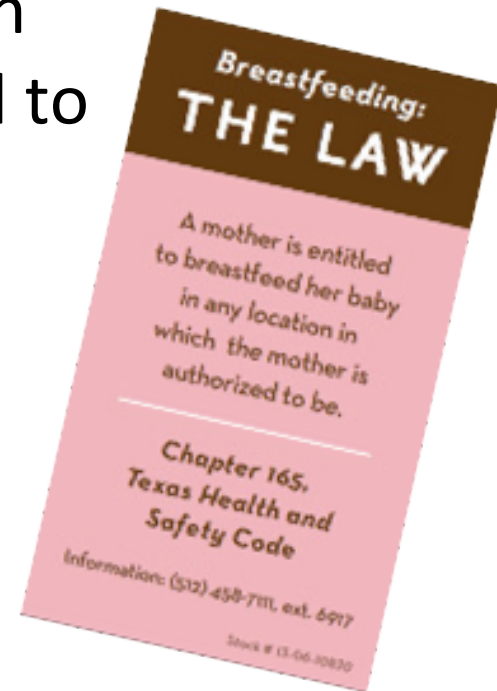
TX Government Code Ch 619 *Right to Express Breastmilk in the Workplace*

Requires all public employers to develop a written policy providing for support of expressing breastmilk and providing reasonable breaks and a place.

Prohibits discrimination.

Texas Health and Safety Code 165-Breastfeeding (est. 1995)

- Affirms a woman's right to breastfeed in any location in which she "is authorized to be"
- Provided authority for the "Mother-Friendly" Business Designation and the DSHS program



A business develops a policy...

supporting the practice of worksite breast-feeding that addresses the following:

- work schedule flexibility, including scheduling breaks and work patterns to provide time for expression of milk;
 - the provision of accessible locations allowing privacy;
 - access nearby to a clean, safe water source and a sink for washing hands and rinsing out any needed breast-pumping equipment;
 - access to hygienic storage alternatives in the workplace for the mother's breast milk.
- Emphasis on **POLICY**.

Q: Our worksite provides a space and time for employees to express breastmilk or breastfeed during the workday. Is a written policy needed to be eligible for the Texas Mother-Friendly Worksite designation?

A: Yes. [Texas Administrative Code](#) defines a Mother-Friendly business as "a worksite that actively promotes and supports breastfeeding by its employees and that maintains a written worksite lactation support policy that is regularly communicated to employees." [Texas Health and Safety Code 165, Breastfeeding](#), allows designation of businesses as Texas "Mother-Friendly" if they have a policy "supporting the practice of worksite breastfeeding" by providing work schedule flexibility; accessible locations allowing privacy, access to a clean, safe water source, and a sink; and hygienic breastmilk storage alternatives.



MFWP Rules in Texas Administrative Code

[<<Prev Rule](#)

Texas Administrative Code

[Next Rule](#)

<u>TITLE 25</u>	HEALTH SERVICES
<u>PART 1</u>	DEPARTMENT OF STATE HEALTH SERVICES
<u>CHAPTER 31</u>	NUTRITION SERVICES
<u>SUBCHAPTER A</u>	REGISTER OF MOTHER-FRIENDLY BUSINESSES
RULE §31.1	Register of Mother-Friendly Businesses

(a) Definitions. The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Mother-friendly business--A worksite that actively promotes and supports breastfeeding by its employees and that maintains a written worksite lactation support policy that is regularly updated.
- (2) Department--Department of State Health Services.

(b) Minimum standards. To be designated mother-friendly, a worksite must:

- (1) adhere to the definition of a mother-friendly business;
- (2) provide work schedule and work pattern flexibility to, at a minimum, accommodate a reasonable break time for an employee to express breast milk for her nursing child or breastfeed her child, and to express the milk or breastfeed for one year or longer after the child's birth;
- (3) provide employees a private, accessible area, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, for either expressing breast milk or breastfeeding, if the employee has need to express breast milk or breastfeed;
- (4) provide access to a clean, safe water source and a sink; and
- (5) provide access to a hygienic place to store expressed breast milk.

(c) Silver and gold standards. The department may recognize mother-friendly businesses that implement additional best practice policies and program activities to promote and support breastfeeding beyond the minimum standards in subsection (b) of this section by silver or gold designation of those worksites.

- (1) To be eligible for silver designation, a worksite must meet the minimum standards in subsection (b) of this section as well as the following standards:
 - (A) provide a break room space with a locking door that is dedicated for use only by employees who are breastfeeding or expressing breast milk;

Implications of 2011 Rule Changes

- Interpretation of space, break requirements**
- Emphasis on POLICY rather than space
- More recognition for worksites that do more (Silver and Gold)
- Maintenance of designation/Re-designation

Minimum Standards for Designation

To be designated Mother-Friendly, a worksite **must maintain a written policy** that:

(1) Adheres to the definition of a Mother-Friendly business: A worksite that actively promotes and supports breastfeeding by its employees and that maintains a written worksite lactation support policy that is regularly communicated to employees.

What is a “worksite”?

Per the U.S. Department of Labor:

“A worksite is an economic unit, generally at a **single physical location**, where business is conducted or where services or industrial operations are performed.”

- Each location (address) constitutes a unique worksite.
- There may be more than one business unit, or worksite, at a single address.

Minimum Standards for Designation

(2) Provides work schedule and work pattern flexibility to, at a minimum, accommodate a reasonable break time for an employee to express breastmilk for her nursing child or to breastfeed each time such employee has need to express the milk or breastfeed for one year or longer after the child's birth.

Q: What is meant by providing "flexible scheduling"?

A: To meet "Mother-Friendly" criteria, an employer must provide work-schedule and work-pattern flexibility to, at a minimum, accommodate reasonable break time for an employee to breastfeed or express breastmilk for her nursing child, each time she has the need to express milk or breastfeed, for one year or longer after the child's birth.

- Needs will vary.
- Flexible scheduling includes permitting an employee to creatively combine existing breaks (e.g., combining rest breaks, splitting meal breaks, etc.) and/or adapting their work schedules (e.g., coming in early or leaving late) to ensure reasonable time and to make up unpaid time used for milk-expression breaks.
- Silver and Gold level solutions may also be considered.



Minimum Standards for Designation

- (3) Provides employees a private, accessible area, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, for either expressing breastmilk or breastfeeding each time such employee has need to express breastmilk or breastfeed.
- The space must be sanitary and functional for the use of an employee to express breastmilk.

At a minimum, the space should

- Have a comfortable place to sit;
- Have a flat surface, other than a floor, on which to place the pump;
- Have a door that is equipped with a functional lock or, if this is not possible, the room will have a sign advising that the room or location is in use and not accessible to other employees or the public [and should not be intruded upon];
- Be well lit;
- Ensure privacy by covering any windows with a curtain, blind, or other privacy covering.

Where reasonably feasible, the space should:

- Be in close proximity to the employee's work station [thereby minimizing the amount of break time needed to access the space];
- Include access to an electrical outlet.

Q: Finding space is difficult in our worksite. Can we be designated as "Mother-Friendly" without a permanent, dedicated lactation room?

A: Yes. A private, accessible area, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public, for either expressing breastmilk or breastfeeding must be provided each time the employee has the need to express breastmilk or to breastfeed.

A dedicated lactation room is **not** required in order to be eligible for designation. If a permanent, dedicated lactation space is not available, another space, such as a space temporarily created or converted into a space for expressing milk or breastfeeding, or a space that also serves another purpose, may be provided.



Minimum Standards for Designation

(4) Provides access to a clean, safe water source and a sink.

Note: The sink does not need to be located in the lactation space, but should be close by and accessible to all program users.

A restroom sink is acceptable.

A portable sink + potable water source may be used in absence of plumbing.

Q: The Texas Mother-Friendly Worksite program requires access to a nearby clean, safe water source that includes a sink for washing hands and any needed breast-pumping equipment. Does that mean the sink has to be in the lactation space?

A: No. A sink may be located in the lactation space, a nearby break area, restroom, or other area that is accessible and within a short walking distance of the lactation space.

- Plan to minimize travel time to and from the sink should be made when identifying lactation space
- Consider travel time when planning flexible scheduling arrangements.
- Locations without plumbing can still qualify.



Minimum Standards for Designation

(5) Provides access to a hygienic place to store expressed breastmilk.

Options may include:

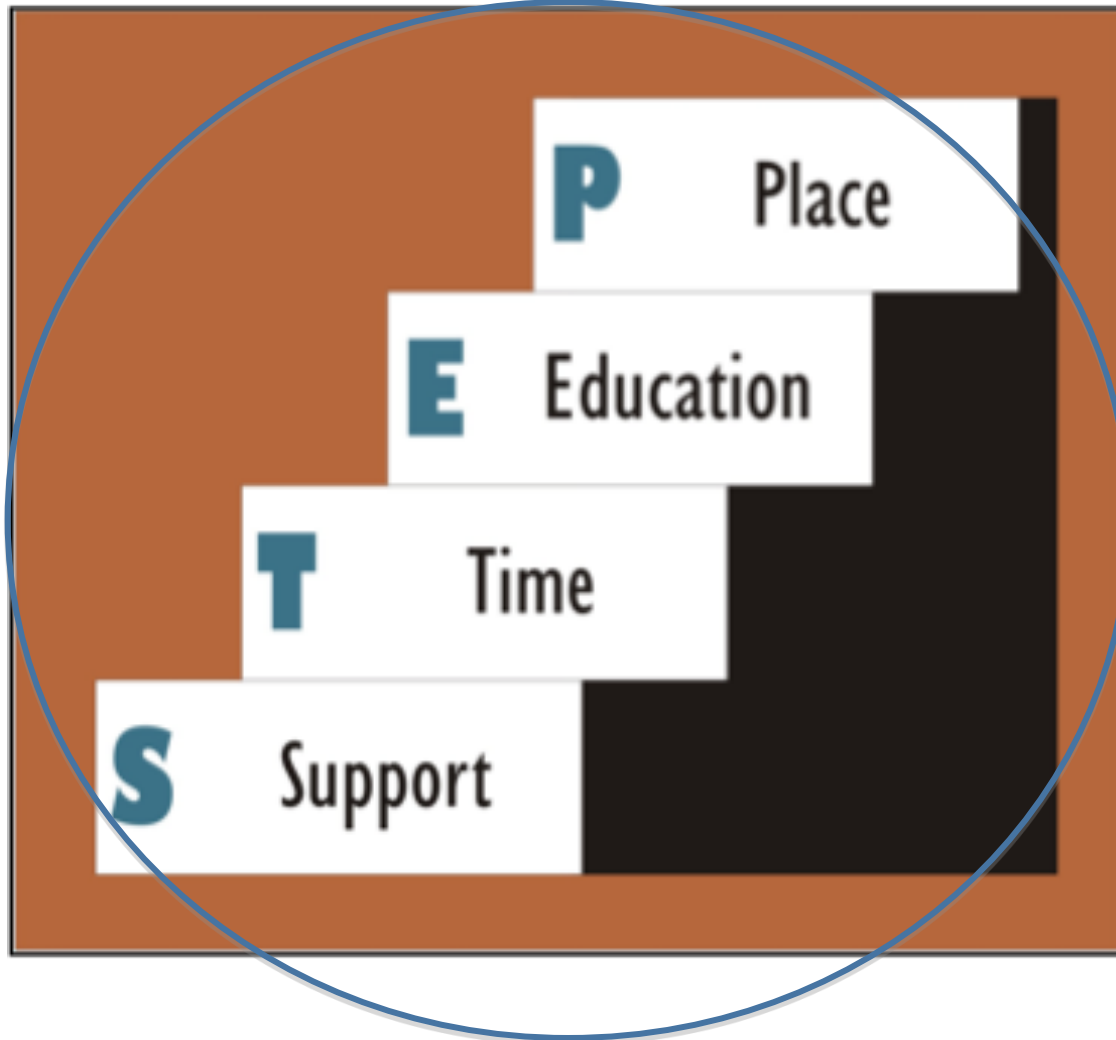
- the employee's own personal cooler with ice pack;
- an employer provided personal cooler;
- a dedicated milk storage refrigerator; and/or
- a shared refrigerator space, as in a break room.
- Breastmilk is considered to be a food vs. bodily fluid and does not constitute a biohazard.

Q: Are any special precautions needed related to storing breastmilk at the worksite?

A: To qualify for the "Mother-Friendly" designation through the Texas Mother-Friendly Worksite program, the worksite's employee breastfeeding support policy must provide access to a safe, clean place (e.g. a climate-controlled area that is free from toxins or other hazardous exposures) for employees to store breastmilk during the workday.

- Conditions that allow for hygienic storage of breastmilk are similar to conditions needed for hygienic storage of other foods.
- Breastmilk is classified as a food, not a body fluid.
- Occupational Safety & Health Administration does **not** include breastmilk as a potentially infectious material.

Potential Policy Components



General Requirements for Silver Level Designation

- Minimum standards are met
- Dedicated lactation room provided
- Dedicated pump, refrigerator/cooler, and/or sink
- Written policy for additional flexible scheduling options or provisions for keeping baby close during work day
- Provide educational resources

General Requirements for Gold Level Designation

- Minimum standards are met
- Dedicated lactation room provided
- Dedicated pump, refrigerator/cooler, and sink, bulletin board, and phone
- Written policy that supports gradual return to work, paid break time and/or provisions for keeping baby close during work day
- Provide educational and referral resources

Best Practice Steps for Program Implementation

- Seek executive level support
- Convene, orient, and engage taskforce
- Conduct a worksite needs assessment
- Weigh needs, options, resources, and constraints and develop a program plan
- Develop and implement program components to create a supportive environment
- Track program indicators and evaluate outcomes on an ongoing basis



“Mother-Friendly” Policy

- A program component that contributes to creating a supportive environment that is consistently provided and ensures accountability
- Other components of creating a supportive environment include:
 - Friendly facilities
 - Managerial and executive training, support, and modeling
 - Initial and ongoing promotion and publicity of program
 - Peer modeling





Policy 101

A Policy is Needed When...

- The actions of employees indicate confusion about the most appropriate way to behave.
- Guidance is needed about the most suitable way to handle various situations.
- Having a policy will protect the business legally.
- Having a policy will assure compliance with government policies and laws.
- Establishing consistent work standards, rules, and regulations.
- Providing consistent and fair treatment to all employees.

What is a Policy?

- A policy is a set of rules that govern the implementation of processes in the workplace.
- Procedures, on the other hand, are the guidelines for how implementation of the policy should be carried out.
- Contingencies to the rule should be addressed in procedures (e.g., what if an employee is abusing the policy?)

Steps 1-4 of Policy Development

1. Clearly articulate the goal you hope to accomplish with the policy (suggest assessment)
2. Gather information (e.g., legal requirements, best practice guidance, various sample policies, legal consultation).
3. Develop and write the policy.
4. Review the policy – many eyes, varied perspectives (committee).

Steps 5-10 of Policy Development

5. Gain management support for the policy – buy-in and ownership (committee).
6. Consider gaining legal review of the policy if the policy has legal implications.
7. Communicate and implement the policy.
8. Decide how policy will be communicated in the future.
9. Interpret and integrate the policy – be consistent and fair.
10. Review policy (tracking and evaluation).

Characteristics of a Good Policy

- Written in clear, concise, simple language.
- Addresses what is the rule rather than how to implement the rule.
- Readily available with clear authority.
- Policy “experts” are available for assistance with interpretation.
- Consistent (does not conflict) with other policies.

Source: Policies and Procedures Team, UC Santa Cruz. Guide to Writing Policy and Procedure Documents. 1994. Available from: <http://www1.ucsc.edu/ppmanual/pdf/guide.pdf>

Characteristics of a Good Procedure

- Tied to policies; consistent with policy goals and program plan.
- Developed with customer use in mind, providing benefits to the procedure user.
- Sense of ownership among procedure users (developed with their input).
- Understandable, clear, and concise.
- Should offer options—restrictive procedures have limited usefulness.

Writing Style for Policies and Procedures

- Concise, minimum amount of verbiage.
- Factual – double-check accuracy!
- Don't include information that may be quickly outdated (e.g., names).
- If you use an acronym, spell it out the first time you use it.
- Include step-by-step instructions for completing paper or electronic forms (*procedures only*).
- Not too technical – simple enough to be understood by a new employee.

Texas Mother-Friendly Worksite Policy

- Define purpose of policy and state your organization's support for breastfeeding.
- Describe, in general terms, the provisions of time, space, clean water source and sink, hygienic storage alternatives, and other provided program components.
- May include manager and employee responsibilities.
- May refer to other policies associated with this policy (flex-time, wellness, etc.).



Policy Components

- Statement of purpose.
- Atmosphere of tolerance/
atmosphere of support.
- Notification of policy to all employees.
- Time and leave—flexible scheduling options.
- Provision of space, including access to water and storage.
- Education/support/resources (optional).



Sample Basic Policy

Purpose and Statement of Support

In recognition of the well-documented health advantages of breastfeeding for infants and mothers, ***Organization Name*** provides a supportive environment to enable breastfeeding employees to express their milk during work hours and subscribes to the following policy:

Mother-Friendly Policy

An employee is entitled to a reasonable amount of break time at appropriate intervals to express breastmilk. ***Organization Name*** shall provide a room or other location in reasonable proximity to the employee's work area with an accessible electrical outlet and a locking door, or other appropriate efforts to protect against intrusion, where the employee can express breastmilk in private. The employee is entitled to use the sink, microwave oven, refrigerator, and freezer in any break area to clean breast pump equipment, wash hands, and store labeled breastmilk containers in a hygienic manner. An employee shall notify her division director or immediate supervisor of her intent to use break time under this subsection. Breastfeeding employees are allowed to express milk during work hours. For additional time above and beyond that provided through normal break and/or lunch times, employees may make up the time as negotiated with their supervisor.

Apply Now



Search

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The Basics

Why it Matters

Build Your Program

Community

Texas Directory

“A woman’s choice to breastfeed benefits the family, the City, and society.”

Andy Rangel

Health Promotion Coordinator,
City of San Antonio

[Read Our Story](#)



- **Comprehensive** Employer toolkit

www.TexasMotherFriendly.org

Step 4: Develop Your Policy

Creating a lactation support policy for your organization shapes the culture and attitudes within the organization and reflects a commitment to improving employee well-being.

The policy should clearly state what the employees can expect from the organization and what the organization expects from them. Some find it necessary to have a policy in place first and develop the rest of the program as part of a policy implementation plan, while others find that the approval of a formal policy is the end product of the implementation process.

After completing this step, consider [applying for Texas Mother-Friendly Worksite designation](#).

Resources



TEMPLATE: Policy Development Guide [Download DOC 1.69 MB](#)

Explains why and how to develop a Mother-Friendly Worksite policy. Includes policy elements, information about laws related to worksite lactation support, a policy template, and sample policies from Texas Mother-Friendly Worksites.



Developing Your Policy Presentation [Download PPT 14.01 MB](#)

Explains why and how to develop a Mother-Friendly Worksite policy.



Texas Mother-Friendly Worksite Policy Guidance-Condensed [Download DOC 1.26 MB](#)

Start here for a condensed primer on the basic policy requirements for Texas Mother-Friendly Worksite designation. Includes sample policies for a variety of worksite settings.

To view these files, you may need to install one or more of these free applications: [Adobe Acrobat Reader](#), [Microsoft Word Viewer](#), or [Microsoft Powerpoint Viewer](#).



SUCCESS STORY

“It was a huge comfort knowing that the company supported me and made a point to make me feel that my needs as a new mom were not going to be a hassle.”

Julie Campbell
Whole Foods Market

Policy 101 PPT

PLEDGE

“I'm so excited for my friend and happy that she will be able to reach her breastfeeding goals, and return to work.”

Build Your Program

Getting Started

Step 1:
Get People on Board

Step 2:
Form a Team

Step 3:
Assess Your Site

Step 4:
Develop Your Policy

Step 5:
Plan Your Worksite

Step 6:
Implement Your Plan

Step 7:
Evaluate Your Progress

Basic requirements and samples

Step 6: Implement Your Plan

Build Your Program

Getting Started

Step 1:
Get People on Board

Step 2:
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Step 3:
Assess Your Space

Step 4:
Develop Your Policy

Step 5:
Plan Your Worksite

Step 6:
Implement Your Plan

Step 7:
Evaluate Your Program

Implementation will convert your planning, goals, and objectives into action.

With a complete Operating Plan (developed in [Step 5](#)), the implementation process for components such as space, time, education, and support should go smoothly. The goals in this phase are to communicate about, launch, and promote the program components. Be sure to document lessons learned throughout the process.¹⁶

Resources



Implementation Guide: Space [Download DOC 5.89 MB](#)

Planning guide for exploring the space needs and options for your organization's Mother-Friendly space.



Implementation Guide: Time [Download DOC 3.23 MB](#)

Planning guide for exploring the practical-time scheduling needs of implementing a Mother-Friendly program. It includes flexible scheduling opportunities for employees, a communication guide for supervisors, and implementation tools for integrating these



Implementation Guide: Education And Support [Download DOC 2.86 MB](#)

Planning guide to explore resources for promoting the program to employees and to provide ongoing education and support.



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Search

Related Sites

The Basics

Why it Matters

Build Your Program

Community

Texas Directory

Apply for Your Texas Mother-Friendly Worksite Designation

Please prepare before starting this application process.

During the application process, we will ask you some basic questions about your worksite. We have provided some tips below to ensure you are prepared.

If you would like more than one worksite considered for designation, you will need to submit a separate application for each worksite. If you have more than 20 worksites, you may prefer to submit these by completing a spreadsheet. If so, please contact info@texasmotherfriendly.org for a copy of the spreadsheet you will need to complete.



Have your employee worksite lactation support policy close by.

To receive your designation as a Texas Mother-Friendly Worksite, you'll need to submit your worksite's [written employee lactation support policy](#). If you have more than one policy document, please merge them into a single document if possible. If you have this document in PDF or Word format, we will give you an opportunity to upload it. Otherwise, you will be asked to fax it to our offices.



Be prepared to answer a few questions about your policy.

We will ask some questions about your worksite lactation support policy. If you need to review your policy to find the answers to these questions, please do so before beginning the application process.



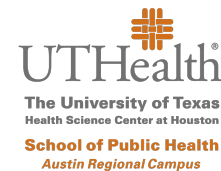
Have your Worksite information ready.

In addition to providing a copy of your policy, you will be asked to confirm that your worksite meets the [criteria for designation](#). We will also ask some questions about your worksite's location and contacts.

Once you have everything ready, the application should take 15-20 minutes.

Questions and What's Next?

- A follow-up blog will be posted :
<https://sph.uth.edu/research/centers/dell/>
- Please fill out survey
- Next Webinar: Wednesday, December 2nd, 12-1pm
- Additional resources: TexasMotherFriendly.org
- Questions? Email us at
info@texasmotherfriendly.org



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