

JAN 29 2013

UNIVERSITY of HOUSTON
MANUAL OF ADMINISTRATIVE POLICIES AND PROCEDURES

UCC Certified

SECTION: Human Resources
AREA: Employee Relations

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SUBJECT: Workplace Lactation/Breastfeeding

I. PURPOSE AND SCOPE

The University of Houston is committed to supporting University employees who are lactating and who choose to breastfeed or express milk during work hours. The purpose of this MAPP is to help the employee meet the challenge of workplace lactation and to provide information on University lactation policy and locations.

II. DEFINITIONS

- A. Lactation – For the purposes of this policy, lactation refers to the act of expressing breast milk. Although the university recognizes and supports women's right to breastfeed in any location in which she is authorized to be pursuant to Texas Health and Safety Code, Section 165.002, this policy only applies to the limited situation where an employee is manually or mechanically expressing milk.
- B. Lactation Location – A space temporarily converted or permanently created (and designated) into a space for expressing milk or made available, when needed, for an employee who is nursing. The location must be shielded from view and free from any intrusion by coworkers and the public.
- C. Office of Equal Opportunity Services – The university's Office of Equal Opportunity Services (EOS) is charged with interpreting and enforcing this policy. EOS can be reached by telephone at (713) 743-8835, by e-mail at eosinfo@uh.edu, by facsimile at (713) 743-0959, or in person at Student Services Center 2.

III. POLICY

UH provides an appropriate location and a reasonable amount of break time to accommodate employees who are nursing mothers for a period of up to one (1) calendar year after the birth of the nursing child, pursuant to applicable state and federal laws.

A. Lactation Break(s)

- 1. Ideally, the time will run concurrently with an employee's paid break time. The university will make separate or additional time available if it is not possible for the lactation time to run concurrently with the employee's existing paid break time, but the additional break time may be unpaid.

Note: Alternatively, personal leave, vacation time, intermittent Family and Medical Leave, or flexible scheduling may be used for this accommodation.

- 2. It is assumed that University operations will not be seriously disrupted by providing lactation time to the employee.

3. Faculty members must schedule their lactation breaks around their scheduled class times.

B. Lactation Locations

1. The university provides appropriate and accessible space for the employee to breastfeed or express milk in private.
2. The location may be where the employee normally works if there is adequate privacy to perform the activity (i.e., the employee's private office or another private area in the workspace).
3. Areas such as restrooms or non-private cubicles are not considered appropriate spaces for lactation purposes.
4. The university has designated several locations throughout campus as "Lactation Rooms/Mothers Rooms." The map of these designated locations can be found at <http://www.uh.edu/ucw/docs/lactations%20rooms%20map.pdf>. Scheduling information can be found on this map document for each lactation location.
5. When necessary, appropriate space may be temporarily designated as a Lactation Location for the required time period. If business operations preclude the full-time designation of a Lactation Location, then the Lactation Location may be designated and appropriately marked only during the times when it is in use for lactation purposes. Standard lactation room signage will be used in this instance.

C. Expectations of Supervisor(s) and Accommodated Lactation Employee(s)

1. Supervisors
 - a. Supervisors shall ensure accommodations are administered consistently, equitably, and fairly.
 - b. Supervisors shall ensure that regulations, rules, and coverage requirements are communicated in writing to lactation-requesting employees.
 - c. Supervisors shall approve requests for lactation accommodations, including flex and/or altered schedules, in writing. In addition, supervisors shall respond to lactation accommodation requests promptly and ensure that lactation-requesting employees do not suffer negative consequences as a result of the lactation request.
 - d. Supervisors shall be flexible in allowing requesting employees to select appropriate times to use an identified Lactation Location on campus, including allowing the employee with the time to travel to and from the closest Lactation Location to the employee's work area.

2. Employees

- a. Employees shall plan and organize their time to meet the job responsibilities established by their supervisor.
- b. Employees shall provide a written request for a flex and/or altered schedule.
- c. Employees are still expected to complete the required number of hours in a workweek, unless otherwise agreed to by their supervisor or arranged by the supervisor's designee.
- d. Employees shall inform their supervisor in writing if a change of schedule is required and find substitute coverage (as needed) that is acceptable to the supervisor.

IV. PROCEDURES

- A. Employees are responsible for requesting a lactation accommodation in writing prior to or during maternity leave, preferably no later than two (2) weeks before returning to work. Lactation Accommodation Request forms are available from Human Resources or at <http://www.uh.edu/wrc/documents/LactationAccommodationRequestForm.pdf>.
- B. Supervisors receiving a Lactation Accommodation Request shall
 1. Consult with the requesting employee and, if desired, EOS to assess the request and accommodation options for a Lactation Location.
 2. Review available space in the department/division and provide the requesting employee with a copy of the Lactation Location Map (<http://www.uh.edu/ucw/docs/lactations%20rooms%20map.pdf>).
 3. Provide the requesting employee with written confirmation as to final lactation accommodations.
 4. Return the completed form to Human Resources.
- C. Refusing or Amending a Lactation Accommodation Request
 1. A supervisor cannot refuse to grant a Lactation Accommodation Request unless s/he can establish, in writing, that operations would be seriously disrupted by providing lactation time to the applicable employee in accordance with applicable laws.
 2. Any intent to refuse lactation accommodation to an applicable employee by a department head or supervisor must be made on a case-by-case basis and only after consultation with the EOS.
 3. A supervisor may only amend a Lactation Accommodation Request after consultation with the EOS and upon a demonstration of good cause, as determined by the EOS.
- D. Employees accommodated under this policy are responsible for cleaning the Lactation Location facilities after each use.

V. CONFIDENTIALITY

To the extent allowed by federal and state law and university policy, Lactation Accommodation Requests will be handled confidentially. Only individuals with a business "need to know" will be made aware of a Lactation Accommodation Request and the resulting accommodation arrangements, if any.

VI. OTHER APPLICABLE CONCEPTS

If an employee has comments, concerns, or questions regarding this procedure, s/he shall contact her/his supervisor, EOS, and/or the Women's Resource Center (located at University Center, Room 279A, (832-842-6191). Employees who feel they have been denied proper and appropriate lactation accommodation or who feel they are being retaliated against because of a request for lactation accommodation are encouraged to contact the EOS.

VII. REVIEW AND RESPONSIBILITY

Responsible Party: Vice President for Legal Affairs and General Counsel
Assistant Vice President for Equal Opportunity Services

Review: Every three years on or before February 1

VIII. APPROVAL

Vice President for Legal Affairs and General Counsel

Executive Vice President for Administration and Finance

President

Date of President's Approval: _____

IX. REFERENCES

[SAM 02.A.20](#) – Hours of Work
[SAM 02.A.40](#) – Staff Attendance and Punctuality
[SAM 02.D.01](#) – Vacation and Sick Leave
[SAM 02.D.06](#) – Family and Medical Leave
[MAPP 02.02.01](#) – Family and Medical Leave
[MAPP 02.04.02](#) – Hours of Work
[MAPP 02.04.10](#) – Flexible Workplace Initiative
[Patient Protection and Affordable Care Act, 29 U.S.C. Section 207\(r\)\(1\)](#)
[Texas Health and Safety Code, Chapter 165](#)
[Lactation Accommodation Request Form](#)
[Lactation Location Map](#)

REVISION LOG

Revision Number	Approved Date	Description of Changes
1	TBD	Initial version