2.06 LACTATION ACCOMMODATIONS

April 2024 June 2024

In accordance with New York law, all employees have the right to express milk in the workplace.

LACTATION BREAKS

The Fairport Public Library will provide nursing employees with up to 30 minutes of paid break time to express milk each time when the employee has a reasonable need to do so, a reasonable amount of break time for up to three years following the birth of a child to accommodate nursing employees desiring to express milk for their child.

Nursing employees can also elect to take time to express milk during their regularly scheduled meal and rest breaks. If the employee chooses a time to express milk that does not run concurrently with a scheduled break time, the lactation break time will be unpaid for non-exempt employees except where federal or state law may require otherwise. If additional lactation breaks are required or the break schedule needs to be modified from time to time, employees should work with WHO regarding scheduling. A non-exempt employee can elect to work before or after their normal shift to make up the amount of time used during unpaid break time for expression of milk, so long as the additional time requested falls within the Company's normal work hours. However, non-exempt employees will not be required to make up any unpaid break time.

Unpaid breaks provided for the expression of milk must be at least 20 minutes. However, if the designated lactation room where such break will be taken is not close to an employee’s workstation, the provided break must be at least 30 minutes. Employees will be allowed to take a longer or shorter unpaid breaks if needed. Non-exempt employees, whose lactation break(s) exceeds 30 minutes at a time may be granted additional unpaid lactation break time for additional break time that is over-beyond the 30 minutes of paid time. Because exempt employees will receive their full salary during the weeks in which they work, all exempt employees who need lactation accommodation breaks do not need to report any extra break time as “unpaid” in accordance with federal and state law.

Employees are not required to make up time taken for lactation breaks.
Employees who work remotely have the same rights to **unpaid time off for the purpose of expressing milk** (lactation breaks), as all other employees who perform their work in-person.

**LACTATION ROOM**

Employees who work onsite have the right to request a lactation room for the purpose of expressing milk. The lactation room is located upstairs in the boardroom. The lactation room will be a well-lit, sanitary place, other than a restroom or toilet stall, that is shielded from view, free from intrusion, and in reasonable proximity to the employee's work area. The lactation room will include an electrical outlet, a chair, a working surface area on which to place a breast pump and other personal items, nearby access to running water and access to refrigeration for the purpose of storing the expressed milk. Please note that the Library is not responsible for ensuring the safekeeping of expressed milk stored in any refrigerator on its premises. The employee is required to store all expressed milk in closed containers, regardless of the method of storage, and should remove such milk at the end of the workday.

**REQUESTING USE OF THE LACTATION ROOM**

To request the use of a lactation room, employees should contact the Library Director or one of the Assistant Directors. The Library will respond to the employee's request **in writing** within a reasonable amount of time, not to exceed five business days. Employees should contact their supervisor with any follow-up inquiries.

A room identified for use as a lactation room may also be used for other purposes. However, an employee’s need of for a room for lactation breaks will be prioritized, and during times when an employee is using the room as a lactation room, that will be its sole function. When two or more employees need to use the room for lactation purposes or in connection with other accommodations, they should contact and work together with the Library Director or one of the Assistant Directors and work together to schedule room usage cooperatively and in a way that accommodates all affected employees. Employees who have questions or concerns related to lactation room scheduling conflicts can also contact the Library Director or one of the Assistant Directors.

**EMPLOYEE’S RESPONSIBILITY**

Employees are required to provide reasonable advance notice to the Library that they intend to take breaks for expressing milk upon returning to work following the birth of the child. If providing the requested lactation room will place an undue hardship on the Library’s operations, the Library will
engage in reasonable efforts to provide a private room or location, other than a restroom or toilet stall, that is in close proximity to the work area where an employee can express milk in private.

**NO RETALIATION AND NO DISCRIMINATION**

Employees who believe the Library has failed to comply with the requirements of this policy and federal or state law should immediately notify the Library Director. The Library will not retaliate or discriminate against an employee because they exercise their rights under this policy or file a complaint or institute any proceeding under or related to New York State law or the federal Fair Labor Standards Act.

**ADDITIONAL INFORMATION**

Pursuant to New York State requirements, a [Policy on the Rights of Employees to Express Milk in the Workplace](#) that further explains your rights under New York State law will be provided at hire, annually after hire, and whenever an employee returns to work following the birth of a child. This Policy is available [insert location: at the end of this Employee Handbook, in the Handbook Addendum of this Employee Handbook, or from WHO]. Employees are expected to review both this Lactation Accommodation policy and the New York Policy on the Rights of Employees to Express Milk in the Workplace.

Employees who have questions about either of these policies may contact the Library Director or either of the Assistant Directors.