

## Handbook of Operating Procedures

### LACTATION SUPPORT

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#### A. Purpose

The University of Texas Rio Grande Valley (UTRGV) recognizes the emotional and health advantages of breastfeeding for mothers and infants. UTRGV will strive to offer support and flexibility to nursing mothers who are balancing work and study commitments with their needs as mothers of young children.

#### B. Persons Affected

This policy applies to all UTRGV administrators, faculty, staff, and students.

#### C. Definitions

1. Nursing Mother Suites – UTRGV private, accessible areas, other than bathrooms, that are shielded from view and free from intrusion from coworkers and the public, for the purpose of expressing breastmilk each time a mother has need to express milk.

#### D. Policy

In recognition of the well-documented health advantages of breastfeeding for infants and mothers, UTRGV provides a supportive environment to enable breastfeeding mothers to express milk during work hours.

1. UTRGV shall provide a place, other than a bathroom, that is shielded from view and free from intrusion, which may be used by an employee or student to express breastmilk.
2. Supervisors will use reasonable efforts to provide work schedule and work pattern flexibility for the expression of milk for up to one year after the birth of a child.
3. Discrimination against a mother for expressing milk under this policy is prohibited and may lead to disciplinary action, up to and including termination. Also, retaliation of any kind against anyone who participates in good faith in an investigation of a complaint under this policy is subject to disciplinary action, up to and including termination.

#### E. Procedures

1. *Reporting Requirements:*
  - a. A mother must provide her supervisor with a written request for time to express breastmilk during the work day. The request should be made as soon as practicable; preferably before or during maternity-related leave and before returning to work.

- b. Supervisors must timely respond to the mother's request. The supervisor and the requesting mother should collaborate to identify mutually convenient break times for milk expression during the work day. The frequency of breaks needed to express milk, as well as the duration of each break, will likely vary.
- c. Upon request, supervisors are responsible for informing pregnant women of UTRGV lactation support resources.

2. *Break time:*

- a. Supervisors will use reasonable efforts to provide work schedule and work pattern flexibility so that an employee may have a reasonable break time to express breastmilk for her nursing child each time the employee needs to express milk.
- b. Lactating mothers may use time during the standard workday for milk expression. This period may include combinations of standard paid break periods, lunch periods, and other applicable leave as necessary.
- c. Scheduling will be arranged on a case-by-case basis to accommodate the milk-expression needs of the mother.
- d. UTRGV is not required to compensate break time taken for the purpose of expressing milk. However, where UTRGV already provides a compensated break, an employee who uses that break time to express milk must be compensated in the same way that other employees are compensated for break time. The requirement that an employee must be completely relieved from duty, or else the time must be compensated as work time, still applies. Supervisors should consult with the Employee Relations Division of the Office of Human Resources for guidance on proper accounting of time away from work for expressing milk.
- e. Faculty members are advised to schedule their lactation breaks around their scheduled class times. In the case of extended class assignments or exams, faculty members should collaborate with their supervisor to identify mutually convenient break times, and if necessary, substitute coverage.
- f. Students should use scheduled break time between classes to express milk. In the case of extended class assignments or exams, students should contact the course director for assistance. Course directors must timely respond to the mother's request to express milk. Both the requesting mother and the course director should collaborate to identify a mutually convenient break time.

3. *Space – Nursing Mother Suites:*

- a. Nursing Mother Suites are for the exclusive use of mothers who express breastmilk for her child(ren).

- b. Mothers using these rooms are responsible for keeping the rooms clean and sanitary for the next user.
- c. Mothers must provide their own breast pump and supplies. Nursing Mother Suites are located near facilities with access to a clean and safe water source for washing of equipment.
- d. To ensure privacy, Nursing Mother Suites are equipped with an identification card reader or a door with a lock. A list of lactation rooms is maintained by the Office of Human Resources.
- e. To access the Nursing Mother Suites, requestors need to contact the Office of Human Resources.

4. *Milk Storage:*

Each mother is responsible for proper milk storage using available UTRGV departmental refrigerators or personal storage coolers.

5. *Education:*

Training is available through the Office of Human Resources.

**F. Relevant Federal and/or State Statute(s), Board of Regents' Rule(s), UTS Policy(ies), and/or Coordinating Board Rule(s)**

[29 U.S.C. 207, Fair Labor Standards Act](#)

[Texas Health and Safety Code, Chapter 165](#)

**G. Dates Reviewed or Amended**

Reviewed and amended (non-substantive: updated responsible executive) - May 5, 2022.