

BREAK TIME FOR NURSING MOTHERS

The Patient Protection and Affordable Care Act amended the FLSA to require employers to provide a nursing mother reasonable break time to express breast milk after the birth of her child. The amendment also requires that employers provide a place for an employee to express breast milk.

Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) is amended by adding at the end the following:

1. An employer shall provide:
 - a. A reasonable break time, for an employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk; and
 - b. A place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.
2. Nothing in this subsection shall preempt a State law that provides greater protections to employees than the protections provided for under this subsection.

Temple College acknowledges and adopts the requirements established by the amendment to the Fair Labor Standards Act. Two twenty (20) minute periods will be allowed per day with the time recognized as compensated, similar to what has been allowed for employee break time. The employee in accordance with her immediate supervisor will determine the appropriate time the employee will be allowed to express breast milk. If additional time is required, immediate supervisor approval will be required, and accrued leave must be used for any time utilized over the twenty (20) minute time periods. Any time used over the twenty (20) minute time periods will be calculated to the next fifteen (15) minute interval. The supervisor and employee will agree to the use of a room free of intrusion and shielded from view. The employee will be allowed to use this time for up to one (1) year after the child's birth.

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