


Grant County Personnel Policy

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APPROVED:  Cindy Carter, Chair, Board of County Commissioners	03-30-17 Date Signed
LAST REVISED: 06/30/2015	CONTACT: Human Resources

710 – Reasonable Break Time, Nursing Mothers

710.1 The Patient Protection and Affordable Care Act (“Affordable Care Act”) amended section 7 of the Fair Labor Standards Act (“FLSA”) to require employers to provide **reasonable break time** for an employee to express breast milk for her nursing child **for one year** after the child’s birth **each time** such employee has need to express the milk.

710.2 In addition, employers are required to provide 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.

710.3 At the Courthouse complex, the office space off of the Law Library has been identified as the **HR Conference Room** and provided with a locking door. The primary purpose of this change was to identify an adequate space within the Courthouse complex for nursing mothers returning to work. **Use of the room can be scheduled** through HR as needed. When not in use it will remain unlocked so that it continues to be of general use to the public.

710.4 Matters of consideration regarding break time & location for nursing mothers:

710.4.1 EOs/DHs may provide an alternate, adequate space within the work area for their employees for this purpose, if more convenient.

710.4.2 Obviously, employees stationed outside the Courthouse complex will not have ready access to this space. Please contact HR if you need assistance in identifying an appropriate space and complying with the law.

710.4.3 The frequency of breaks needed to express milk as well as the duration of each break will likely vary. Situations will have to be reviewed on a case-by-case basis and will require flexibility. HR is available to consult with supervisors and/or impacted employees.

710.4.4 Only employees who are not exempt from the FLSA’s overtime pay requirements are entitled to breaks to express milk (those in non-exempt positions).

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710.4.5 Employers are not required under the FLSA to compensate nursing mothers for breaks taken for the purpose of expressing milk.