BREASTFEEDING POLICY


Effective Date: July 1, 2008; Last Reviewed: April 2013

Purpose:

This procedure allows that the services and arrangements are coordinated to insure that an employee’s decision to breastfeed and/or express milk in the workplace will be encouraged and supported by her supervisor, Human Resource Services (HRS) and all University departments.

Policy:

In accordance with §§ 39-2-215 to 217, Montana Code Annotated, the University of Montana supports and encourages the practice of breastfeeding, accommodates breastfeeding needs of employees, and provides adequate facilities for breastfeeding or the expression of milk for the employee’s child as provided below.

It is an unlawful discriminatory practice to refuse to hire or employ, or to discharge or discriminate against an employee who breastfeeds or expresses milk in the workplace.

Procedures:

I. Eligibility:

All staff, contract administrator, contract professional, Letter of Appointment and faculty positions are covered by this policy.

II. Definition of Adequate Facilities:

i. Private room with closable door - preferably lockable (e.g., private office, unused conference room).
ii. Suitable/comfortable chair (preferably with available table space)
iii. Electrical outlet
iv. Good or adequate lighting
v. Access to a nearby clean, and safe water source
vi. Access to a refrigerator or cooler to store breast milk
vii. NOTE: Toilet stalls and closets are unacceptable
III. **Initiation of Services:**

Any employee who wishes to breastfeed or express milk in the workplace shall make an appointment with the Benefits Specialist or HRS/Wellness contacts in Human Resource Services to obtain information regarding the employee’s rights and responsibilities. The employee will then initiate a request to obtain needed services and facility space by initiating one (1) of the two (2) options listed below:

1. Contact her immediate supervisor to identify suitable accommodations which meet all policy requirements.
2. Contact the HRS/Wellness contact who will collaborate with the employee and supervisor to find suitable accommodations and ensure compliance with this policy.

IV. **Role of the Supervisor** - The supervisor shall be responsible for completing the following:
   
   i. Assist the employee to identify suitable space for such use, including providing privacy, lighting, and electricity needs. Private space does not need to be fully enclosed or permanent, but must be readily available during the time the employee needs the space. Toilet stalls are not suitable spaces for such a purpose.
   
   ii. Ensure that there is a convenient facility for milk storage. If a departmental refrigerator is provided, employee must insure that containers are well-marked. If needed, refer the employee to the HRS/Wellness contact to arrange for UM to possibly temporarily loan a personal refrigerator (if available). There is a limited supply of UM owned refrigerators available on a first come, first serve basis at no cost.
   
   iii. Ensure that the employee(s) know(s) their legal right to a discriminatory-free employment setting due to their decision to breastfeed or express milk in the workplace.
   
   iv. Coordinate support services with the HRS/Wellness contact to find a suitable breast pumping space if unable to create an appropriate plan within relatively close proximity to employee’s workspace.
   
   v. Provide reasonable unpaid break time each day or make reasonable accommodations for flexible work schedules for employees wishing to breastfeed or express breast milk.

V. **Role of the Employee** – The employee is responsible for completing the following:

   i. Contact the HRS/Wellness contact to obtain information regarding services and programs that support a decision to breastfeed or express milk in the workplace.

   ii. Coordinate a plan as early as possible with immediate supervisor to confirm a plan on how to insure that adequate services and facilities are available to support the decision to breastfeed or express milk in the workplace.

   iii. If needed, contact the HRS/Wellness contact for support and advice on finding a suitable breastfeeding or pumping location within the department or somewhere else on campus. The HRS/Wellness contact can arrange for a small refrigerator (if available) and assist or intervene to work with the employee’s supervisor and address any problems or concerns that surface anytime. The HRS/Wellness contact will communicate with the Associate Vice President for Human Resource Services to resolve difficult situations.
VI. Coordination of Services and Support

The Benefits Specialist in Human Resource Services will provide all pertinent information to the employee regarding policies that may apply such as Family Medical Leave Act, medical insurance information and an overview of UM services which support a employee’s choice to breastfeed or pump milk at the workplace. The Benefits Specialist will refer the employee to HRS/Wellness contact within the Human Resource Services office.

A Human Resources Services/Wellness contact will follow-up with the employee to monitor compliance and provide advocacy, if needed, to insure adequate facilities and resources are provided compliant with this policy. The HRS/Wellness contact may need to work with the employee’s supervisor, arrange for another suitable campus location, coordinate the delivery and pick-up of a “loaner” refrigerator (if available) to the breastfeeding/pumping location, and contact the Human Resource Services Associate Vice President if problems should arise.

The Human Resource Services Associate Vice President will be contacted for follow-up and advice if there appears to be noncompliance or concerns regarding any aspect of this policy. HRS will pay the labor costs associated with the delivery and pick-up of refrigerators.

Human Resource Services has created a designated breastfeeding room in the Lommasson building. Please contact the HRS/Wellness contact for more information at 243-2665 or the HRS main line at 243-6766.

Residence Life will reserve, clean and store refrigerators (if available) left behind in dormitories by students at the end of each year. The Custodial Supervisor will work with Facilities Services and HRS/Wellness contact to insure the delivery and pick-up of refrigerators.

Facilities Services will provide the labor to deliver and pick-up the refrigerators. They will invoice HRS for the labor costs.

Campus Recreation may allow the possible use of Room #107 during regular business hours for the purpose of breastfeeding and/or pumping breast milk. This room was specifically identified because it is a private room with a lockable door that may be available during the hours of operation. Access to this room will be coordinated for the employees by the HRS/Wellness contact and the Director of Camus Recreation.

HRS CONTACTS

**HRS/Wellness Team**

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