

WORKPLACE ACCOMMODATIONS & SUPPORT

| Benefits to Employers | Benefits to Children | Benefits to Employees/Parents |
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| Increases retention, reducing turnover costs | Reduces risk of preterm birth, low birthweight, miscarriage, and infant mortality | Breastfeeding lowers mother's risk of breast and ovarian cancer, high blood pressure and type 2 diabetes |
| Improves recruitment | Breastfeeding lowers child's risk of ear infections, respiratory infections, diarrhea, dermatitis, gastrointestinal disorder, asthma (young children), obesity, certain childhood cancers, and types 1 and 2 diabetes | Improves mother's health and safety |
| Reduces health care costs | | Improves family economic security |
| Reduces employee tardiness and absenteeism | | Lowers childcare costs |
| Increases productivity | Increases parent-child bonding | Improves family economic security |
| Provides benefit to employee at no or low cost to employer | Reduces doctor and hospital visits | Creates social network/support for parents |
| Increases diversity | Facilitates better socialized babies | Reduces stress |
| Increases safety | | Facilitates easier breastfeeding |
| Increases employee commitment and satisfaction | | Enables working parents to be more involved with their babies |
| Increases loyalty and morale | | |
| Increases teamwork and collaboration | | |

Workplace Accommodations for Nursing Mothers Act

The Workplace Accommodations for Nursing Mothers Act requires public and private employers who have one or more employees to provide reasonable unpaid break time or permit an employee to use paid break time, mealtime, or both, each day to allow the employee to express breast milk for her nursing child for up to two years after the child's birth.

An employer shall make reasonable efforts to provide a room or other location near the work area, other than a toilet stall, where an employee can express breast milk in privacy. Reasonable efforts means any effort that would not impose an undue hardship on the operation of the employer's business.

Support for Breastfeeding Mothers

Support for breastfeeding mothers includes a range of benefits:

- Writing corporate policies to support breastfeeding women
- Teaching employees about breastfeeding
- Providing designated private space for breastfeeding or expressing milk
- Allowing flexible scheduling during work
- Providing high-quality breast pumps
- Offering professional lactation management services and support

Other policies outlined throughout this handbook also help to support breastfeeding mothers, including giving mothers flexible options for returning to work, such as teleworking, part-time work, and extended paid parental leave; and providing on-site or near site childcare.

Sample Policy

There are a variety of health benefits to continuing breastfeeding. An employee should not feel that they must stop breastfeeding when they return to work. If an employee wishes to express during work time, a suitable venue and storage facility will be provided. If an employee wishes for this to occur, then they will need to contact their manager within 1 month of return to ensure the facilities are available.

Milk Expression Breaks - Breastfeeding employees can breastfeed or express milk during work hours using their normal breaks and mealtimes. For time that may be needed beyond the usual break times, employees may use personal leave or may make up the time as negotiated with their supervisors.

A Place to Express Milk - A private room (not a toilet stall or restroom) shall be available for employees to breastfeed or express milk. The room will be private and sanitary, located near a sink with running water for washing hands and rinsing out breast pump parts, and have an electrical outlet. If employees prefer, they may also breastfeed or express milk in their own private offices, or in other comfortable locations agreed upon in consultation with the employee's supervisor. Expressed milk can be stored in general company refrigerators.

Employees who wish to express milk during the work period shall keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the company.

Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act prohibits employment practices that discriminate against making reasonable accommodations for qualified employees affected by pregnancy, childbirth, or related medical conditions. A qualified employee is an employee or applicant who, with or without reasonable accommodation, can perform the essential functions of the position, with specified exceptions.

Specifically, the bill declares that it is an unlawful employment practice to:

- fail to make reasonable accommodations to known limitations of such employees unless the accommodation would impose an undue hardship on an entity's business operation
- require a qualified employee affected by such condition to accept an accommodation other than any reasonable accommodation arrived at through an interactive process
- deny employment opportunities based on the need of the entity to make such reasonable accommodations to a qualified employee
- require such employees to take paid or unpaid leave if another reasonable accommodation can be provided
- take adverse action in terms, conditions, or privileges of employment against a qualified employee requesting or using such reasonable accommodations

Pregnant Worker Accommodations

Pregnant worker accommodations are work adjustments such as more frequent breaks or light carry duties that allow pregnant women to do their job safely, without jeopardizing their health or the health of their babies.

Sample Policy

Accommodation

If you need a temporary change to how, when, or where you work due to pregnancy or related conditions, you may request an accommodation under this policy. EMPLOYER will approve such a request so long as the accommodation requested is reasonable and will not create an undue hardship for the company. EMPLOYER will determine on a case-by-case basis whether a requested accommodation is reasonable or would create an undue hardship after considering the nature of the accommodation, the business needs of the company and its customers, the needs of the company's other employees, the company's operations, and the company's resources.

How to Request an Accommodation

You may make a request for an accommodation orally or in writing to your supervisor or the Human Resources department (HR). A request for an accommodation should include an explanation of why you require an accommodation, which may include any physical limitations or risks you face in your job, or a description of the difficulties you are having with one or more aspects of your job. Your request may also include a description of the accommodation you are requesting. A request should also include the date when accommodation will become necessary and the expected duration of your need for accommodation. If the end date for your accommodation changes in the future, notify your supervisor and/or HR. Note that employees and applicants who have a temporary disability caused or contributed to by pregnancy are not required to advise EMPLOYER of their pregnancies if they do not wish to, and may initiate a request for an accommodation due to disability in the same manner as non-pregnant employees and applicants do.

Once you have requested an accommodation, you and your supervisor will discuss your needs and the ways in which your needs can be met reasonably and effectively. This discussion is intended to be an open and thorough exchange of ideas. If the accommodation you request is not reasonable or would not be effective, your supervisor and/or HR may ask you to suggest other accommodations or

may suggest other accommodations themselves. Please keep in mind that although you may be entitled to an accommodation, you may not be entitled to a particular accommodation or even your preferred accommodation. (However, EMPLOYER will not require you to take leave if you do not wish to do so and are able to continue performing the essential functions of your job with or without a reasonable accommodation.)

Approval Process

If the accommodation you request is minor (such as allowing water or snacks at the work site, providing a chair to sit on, or changing break times), you and your supervisor may agree to implement the accommodation for the period that it is needed without seeking assistance from HR. You or your supervisor should contact HR for assistance if you are unable to identify or agree upon an accommodation, if the accommodation you request is not minor, if the accommodation you request is listed in the next section, or if you are dissatisfied with your supervisor's response to your request. HR may help to determine whether an effective and reasonable accommodation exists and may request medical documentation from your health care provider to assist in the interactive process of determining an appropriate accommodation. HR may also engage additional assistance from others, such as consultants and counselors.

Ordinarily, your supervisor and/or HR will decide regarding your request for an accommodation within three business days. Delays may be caused by waits for medical or other documentation, or necessary information from third parties. You will be kept informed of the status of your request. Approved accommodations will be implemented as quickly as possible. If your request is denied, you will be given an explanation of the denial. You will also be told if an alternative accommodation has been approved.

Specific Types of Accommodations

Each request for an accommodation will be considered on a case-by-case basis. Some common accommodations are discussed below. This is not intended to be a complete list of all possible accommodations. You and your supervisor are encouraged to think creatively and focus on your individual needs and the needs of your department in determining an appropriate, effective, and reasonable accommodation that does not create an undue hardship for the company.

Schedule change. Schedule changes could include changing the time you arrive at and depart from the work site, the days when you work, when you take your breaks or the number of breaks you take, or when you perform certain duties. Requests for a schedule change will be determined in accordance with the company's flexible work policy, taking into consideration the schedule you request, whether your duties can be performed on that schedule, and the business needs of your department. If your request is approved, the flexible work policy will govern the terms and conditions of your employment while you work a changed schedule. Once your need for accommodation has ended, you will be returned to your original schedule in accordance with the provisions below regarding how to end an accommodation.

Reduced hours. Requests for reduced hours will be determined in accordance with the company's flexible work policy, taking into consideration the reduction and schedule you request, the work you will perform, and the business needs of your department. If your request is approved, the flexible work policy will govern your compensation, benefits, and other terms and conditions of employment while you are working reduced hours. Once your need for accommodation has ended, you will be returned to your original schedule in accordance with the provisions below regarding how to end an accommodation.

Transfer. You may request a transfer to an open position within the company that is easier or less hazardous for you to perform. Please note that transfers are possible only when a position is open, and only if you have the necessary skills, credentials, and experience to perform the duties of the position. Once your need for accommodation has ended, you will be returned to your original position or an equivalent position in accordance with the provisions below regarding how to end an accommodation.

Light duty. You may request a light duty assignment that is easier or less hazardous for you to perform. Light duty may include remaining in your current position and being excused from performing your more strenuous or hazardous duties or being temporarily re-assigned to another position that has less strenuous or hazardous duties. Please note that reassignment is possible only when a light duty position is open, and only if you have the necessary skills, credentials, and experience to perform the duties of the position. Once your need for accommodation has ended, you will be returned to your original position or duties in accordance with the provisions below regarding how to end an accommodation.

Work from home. Certain jobs must be performed at the work site, and others may be performed at a remote location. Requests to work from home will be determined in accordance with the company's telework policy. Requests to work from home will require an individualized assessment of which of your duties can be performed from a remote location, how those duties will be performed, the technology and tools you have or may need, how you will be supervised, and whether you will need to be present in the office on occasion. If approved, the accommodation will be governed by the telework policy. Once your need for accommodation has ended, you will be returned to your original on-site position or an equivalent position in accordance with the provisions below regarding how to end an accommodation.

Babies at Work

A babies at work program allows parents to bring infants to work with them – generally up to about six months of age or crawling.

Sample Policy

It is the policy of EMPLOYER to provide a positive work environment that recognizes parents' responsibilities to their jobs and to their infants by acknowledging that, when an infant can stay with a parent, this benefits the family, the employer, and society. The EMPLOYER Infant-at-Work Program encourages new mothers or fathers to return to work sooner by allowing the new parents to bring their infant to work with them until the child is (180 days old/240 days old) or begins to crawl, whichever comes first.

Full-time and part-time employees in good standing are eligible to participate in the program, subject to the specific job responsibilities of the parent and subject to ensuring the physical safety of the infant. Employees currently involved in disciplinary action and employees who have not completed their ___-day orientation/probation period are not eligible to participate.

The parent will accept complete responsibility for the safety of the infant. If the parent's duties require that they leave their primary work site, the parent will take the infant with them. An employee may not take the infant anywhere in an EMPLOYER vehicle. A parent participating in this program may not leave the building (not even for a short time) without taking the infant with them.

The parent must provide all supplies and equipment needed to care for the infant at the work site and ensure that the area is kept in a clean and sanitary condition. Diapers must be changed only in a designated restroom or in quiet room locations and not in work areas. All supplies utilized by the parent must be maintained in a manner that is not disruptive to the work of other employees.

There may be work circumstances that require a parent's full attention such that it may be necessary for parents to make other arrangements for childcare during the utilization of this policy. Parents are expected to work closely with their supervisor and coworkers to ensure that all parties involved are aware of what duties can and cannot be reassigned and parents are expected to make alternate childcare arrangements when required to do so.

For an infant-at-work program to be effective, all parties need to be sensitive to the needs of others. The employee must maintain acceptable work performance and ensure that the presence of the infant does not create any office disturbances. If problems arise that cannot be resolved, the employee understands that the program may be terminated for that employee.

If a baby is fussy for a prolonged period, causing a distraction in the workplace, or preventing the parent from accomplishing required work, the parent shall remove the infant from the workplace. The parent will be charged for time away from work according to leave time provisions of EMPLOYER or may be subject to pay deductions for missed work.

EMPLOYER will identify one or more locations on the premises that employees may use, if they so choose, while breastfeeding or otherwise feeding their infants, as well as a location or locations for changing and disposing of diapers. The location designated for breastfeeding or expressing of milk will be "a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public," in compliance with Sec. 4207 of the Patient Protection and Affordable Care Act.

The parent shall choose two Alternate Care Providers who will care for the infant if the parent needs to attend a meeting, work with a customer, go to the restroom, or another situation in which the parent is unable to effectively care for the infant for a short time. Each care provider will have previously signed an Alternate Care Provider Agreement form.

If a parent is going to be unable to care for their child at work for a period of less than 1.5 hours within a four-hour period, the parent shall notify a care provider and place the infant in the provider's care.

If the parent is going to be unable to care for their child at work for a period exceeding 1.5 hours within a four-hour period, the parent shall plan for the infant's care outside the EMPLOYER premises. An Alternate Care Provider in the workplace shall not be permitted to care for an infant for a period exceeding 1.5 hours within any four-hour period.