



OREGON YOUTH AUTHORITY


Policy Statement

Part I – Administrative Services



Subject:

Expression of Milk and Rest Periods

<i>Section – Policy Number:</i> D: Personnel Management – 3.14	<i>Supersedes:</i> I-D-3.14 (1/20) I-D-3.14 (9/11) I-D-3.14 (11/06) I-D-3.14 (5/00)	<i>Effective Date:</i> 06/07/2022	<i>Date of Last Review:</i> 06/07/2024
Related Standards and References:	<ul style="list-style-type: none"> ▪ ORS 653.077 Expressing milk in workplace; rules ▪ OAR 839-020-0051 (Rest Periods for Expression of Milk) ▪ Department of Human Services, Oregon Public Health Services (DHS-OPHS) <i>Breastfeeding</i>: Breastfeeding ▪ Department of Administrative Services, Chief Human Resources Office, Statewide Policy: 60.000.30 Expression of Milk and Unpaid Rest Periods ▪ Applicable Collective Bargaining Agreements 		
Related Procedures:	<ul style="list-style-type: none"> ▪ None 		
Policy Owner: Human Resources Administrator	Approved:  Joseph O'Leary, Director		

I. PURPOSE:

The 2007 Oregon Legislature passed House Bill 2372 (ORS 653.077), which requires certain employers to provide rest periods to accommodate employees who are also nursing or lactating. This policy delineates how OYA will accommodate lactating staff to express milk or nurse.

II. POLICY DEFINITIONS:

Private location: A place, other than a restroom or toilet stall, in close proximity to the employee's work area for the employee to express milk without intrusion or view by other employees or the public. The private location may include the employee's work area; a room connected to a restroom, such as a lounge; an empty or unused office, a conference room, or a storage space with a door that closes and covered windows, if any.

Reasonable notice: Sufficient oral or written notice that allows the agency time to prepare to comply with this policy.

Reasonable rest period: An amount of time sufficient to allow an employee to express milk. The frequency and duration will vary depending on the individual.

III. POLICY:

OYA values its staff and their diverse values, and seeks ways in which workplace policy can be adapted in support of its workforce and their values. OYA believes that making the workplace supportive of lactating employees will reap many benefits including less staff turnover, reduced absenteeism, lower health care costs overall, advantages to infants, and support for staff and their families.

IV. GENERAL STANDARDS:

- A. Staff who intend to express milk or nurse in the workplace must provide sufficient oral or written notice to their supervisor, or Human Resources Office, of their intent.
- B. When a supervisor receives notification from a staff of the intent to express milk or nurse in the workplace, the office or facility must provide a private location for the staff. A sign such as “Do not disturb” must hang on the door when the room is occupied.
 - 1. Staff who work in field or administrative offices may arrange to have the infant(s) brought to the workplace to nurse. Infants are not permitted within the secure perimeter of OYA close-custody facilities.
 - 2. OYA is not required to provide a refrigerator exclusively for expressed milk storage, but may allow refrigerator usage if available.
 - 3. The room must be in a private location without intrusion by other staff or the public, other than a restroom. The location must be within walking distance from the staff’s work area short enough to not noticeably shorten the staff’s rest or meal period. The room must include:
 - a) Access to an electrical outlet;
 - b) Storage space;
 - c) A comfortable chair or couch, wastebasket, table or countertop, footstool, clock, and mirror;
 - d) Access to a sink with running water and a towel dispenser with disinfectant solution; and
 - e) A sign-up sheet to ensure that those needing the room will have an opportunity to use it.
 - 4. If the room is a multi-purpose room, the following guidelines also apply.
 - a) Lactating staff must be given priority for use in accordance with this policy.

- b) Staff must not use the room as a “sick room.” Staff who are sick must not be in the workplace.
 - c) The room must be cleaned prior to reuse using a household cleaning spray or wipe, according to the product label.
- C. Staff who need to express milk must be provided an area in which to store expressed milk during the workday, either at their workstations or a central area in the workplace.
- D. Supervisors must give lactating staff a reasonable rest period to express milk for, or nurse, a child up to the age of 18 months, in compliance with applicable Collective Bargaining Agreements and DAS statewide policy 60.000.30 Expression of Milk and Unpaid Rest Periods. If additional time is requested, the manager may accommodate the need.
 - 1. The rest periods used to express milk or nurse must be treated as paid rest periods for the amount of time OYA is required to provide paid rest periods.
 - 2. If feasible, staff will take the rest period to express milk or nurse at the same time as the rest periods or meal periods that are otherwise provided to them. If not feasible, staff may express milk or nurse during an unpaid rest period.
 - 3. If staff take unpaid rest periods, the supervisor may allow them to work before or after their normal shifts to make up the amount of time used during the unpaid rest period.
 - 4. If staff do not work to make up the amount of time used during the unpaid rest period, OYA is not required to compensate them for that time. Staff may use, but are not required to use, accrued paid leave or compensatory time.
 - 5. For the purpose of calculating hours for health insurance purposes, unpaid rest periods used by staff to express milk or nurse count as time worked. Staff must use the appropriate leave without pay code for the unpaid portion of the rest periods.
- E. Supervisors/managers must notify impacted staff of this policy.

V. LOCAL OPERATING PROTOCOL REQUIRED: NO