

BOARD AGENDA ITEM

September 8, 2020

SUBJECT:

Addition of Policy GBGAA Accommodation for Breastfeeding Mothers, Second Reading

BACKGROUND INFORMATION:

South Carolina Governor Henry McMaster signed into law the *South Carolina Lactation Support Act* on June 25, 2020. This law intends to “promote health and to support those who wish to express breast milk at work by requiring employers to make reasonable efforts to provide workers with reasonable unpaid break time and space to express milk at work.” Additionally, the law states “Providing workers reasonable support to express milk on the job is crucial health measure and will benefit South Carolina’s economy by keeping nursing employees in the workforce.”

ADMINISTRATIVE CONSIDERATION:

Aiken County Public School District promotes the health and well-being of its employees. This School Board policy ensures that employees that wish to express breast milk in a safe, comfortable location while at work may do so within reason.

RECOMMENDATION:

Approve Policy GBGAA Accommodation for Breastfeeding Mothers, Second Reading

ATTACHMENTS:

Policy GBGAA Accommodation for Breastfeeding Mothers

PREPARED BY:

Salvatore Minolfo

ACCOMMODATION FOR BREASTFEEDING MOTHERS

Code **GBGAA** Issued **09/20**

Purpose: To promote the availability of safe and clean nursing facilities for breast-feeding mothers.

Under federal law, employers must provide both break time and a safe, clean, private space for employees, who are nursing mothers, to express milk.

Break time for nursing mothers

Employers must allow for reasonable break time for employees for the purpose of expressing breast milk for one year after giving birth. This time need not be compensated. The amount of time needed will vary depending on the needs of the mother.

Lactation room

A lactation room must be provided for staff members who are nursing, for one year after giving birth. The space should also be made available to students who are nursing. It need not be a permanent area. It need only be available when there is an employee or student with need on site. The area may not be a bathroom or locker room, but can be arranged in a lounge attached to a bathroom or locker room.

The following are requirements for the lactation room.

- is completely closed and private (not a bathroom)
- either locks from inside or has a sign to show the area is occupied
- contains a comfortable chair
- contains an electrical outlet

Issued 09/08/20

Legal references:

Federal law:

Fair Labor Standards Act of 1938 ([29 U.S.C. § 207\(r\)](#)) (as amended by the Patient Protection and Affordable Care Act, [Pub. L. No. 111-148](#), 124 Stat. 119 § 4207 (2010)).

S.C. Code, 1976, as amended:

Section 41-1-130 - South Carolina Lactation Support Act

Other references:

US Dept of Health and Human Services material

US Dept of Labor website

FAQ

Federal Register

United States Breastfeeding Committee website