

Eagle Butte School District	NEPN Code: GCBDF
Policy Manual	

NURSING MOTHERS POLICY

The District recognizes that breastfeeding is the most healthful, natural, and economic method of infant nutrition, and it is the policy of the District to support the needs of breastfeeding mothers when they return to work and the needs of building visitors.

1. Breastfeeding employees are allowed a flexible schedule for nursing or pumping, with the schedule to be determined by the employee and employee's supervisor. The schedule requested by the employee will be approved unless the employee's supervisor has determined, in writing, that the requested schedule would impose an undue hardship by causing the District significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the school district. Factors to determine when considering the schedule as proposed by the employee include, but are not limited to the following: the time requested would exceed the normal time allowed for lunch, breaks, student responsibilities at the time requested, sick/personal and annual leave, and adjustment of normal work schedule.
2. The District shall provide an appropriate room, other than a bathroom, for an employee and/or building visitor to express breast milk where;
 - a) nursing women can nurse an infant brought in during lunch or breaks;
 - b) nursing women can pump breastmilk to be stored for later use. (Each employee is responsible for proper storage of her milk using a personal storage cooler);
 - c) the area for breastfeeding or pumping is located where a crying infant will not be disruptive to other employees;
 - d) health and safety supplies such as sanitizer, wipes, etc. will be provided for the area;
 - e) a comfortable chair and a table or desk is available for pumping;

Notes:

1. Section 7 of the Fair Labor Standards Act (29 U.S.C. 207) states the following:
 - (r)(1) An employer shall provide-
 - a) a reasonable break time for an employee to express breast milk for her nursing child for 1-year child for 1 year after the child's birth each time such employee has need to express the milk; and
 - b) 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.
 - (2) An employer shall not be required to compensate an employee receiving reasonable break time under paragraph (1) for any work time spent for such purpose.
 - (3) An employer that employs less than 50 employees shall not be subject to the requirements of this subsection, if such requirements would impose an undue hardship by causing the employer significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer's business.
 - (4) Nothing in this subsection shall preempt a State law that provides greater protections to employees than the protections provided for under this subsection.

Adopted: January 11th 2021