

CITY OF CLEVELAND
Human Resources Policies and Procedures
Benefit Policies

PUMP FOR NURSING MOTHER'S ACT (PUMP)
LACTATION BREAK POLICY

Purpose

Under the Fair Labor Standards Act (FLSA), employees who are breast feeding have the right to reasonable break time and a place that is shielded from view to express breast milk while at work for up to one year after the birth of a child.

The City of Cleveland acknowledges the rights afforded employees under the PUMP for Nursing Mother's Act (PUMP), and no employee shall be discriminated and/or retaliated against for expressing breast milk while at work.

Eligible Employees

All employees who are nursing mothers are eligible to take reasonable breaks under this policy to express breast milk for up to one (1) year after the birth of the employee's child. The City of Cleveland encourages all eligible employees who intend to take breaks under this policy to notify their Direct Supervisor of their intent to take lactation breaks upon their return to work following leave relating to childbirth.

Lactation Breaks

Eligible employees may take a reasonable amount of break time to accommodate the employee's need to express breast milk for the employee's nursing child. Eligible employees should notify their Direct Supervisor of the frequency, timing, and duration of lactation breaks they need to take.

Employees will be provided with a designated place, other than a bathroom, that is shielded from view and intrusion from co-workers and the public to express milk.

Please contact the Department of Human Resources, Employee Relations Manager for information about the designated location for lactation breaks in closest proximity to your work area.

Compensation during Breaks

Lactation breaks under this policy are unpaid. However, employees who use meal or rest break time to express breast milk should let their Direct supervisor know and will be compensated in accordance with the City of Cleveland's policy on meal or rest breaks.

Employees who are not completely relieved from duty during the entirety of the break will be paid for this period of time.

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Employees who are required to record time under the City of Cleveland's timekeeping policy must accurately record the start and end of lactation breaks on their time sheets in accordance with the City of Cleveland's timekeeping policy. Uninterrupted lactation breaks do not count as hours worked.

Exempt employees may be provided break time with pay when necessary to comply with state and federal wage and hour laws.

Administration of This Policy:

The Department of Human Resources is responsible for the administration of this policy. If you have any questions regarding this policy or if you have questions about lactation breaks that are not addressed in this policy, please contact the Department of Human Resources Employee Relations Manager.

Complaint Procedure:

If you are subjected to any conduct that you believe violates this policy, you should promptly speak to, write, or otherwise contact the Department of Human Resources Employee Relations Manager, who will ensure that a prompt investigation is conducted and take prompt corrective action, if appropriate.

No Retaliation:

The City of Cleveland expressly prohibits any form of discipline, reprisal, intimidation, retaliation or discrimination against any individual for requesting or taking lactation breaks, or filing a complaint for violations of this policy, the Fair Labor Standards Act, or applicable Ohio or local law.

The City of Cleveland is committed to enforcing this policy and prohibiting retaliation against employees who request or take break time under this policy, or who file a related complaint. However, the effectiveness of our efforts depends largely on individuals telling us about inappropriate workplace conduct. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately to the Department of Human Resources Employee Relations Manager. If employees do not report retaliatory conduct, the City of Cleveland may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

Employees Covered Under a Collective Bargaining Agreement

The employment terms set out in this policy work in conjunction with, and do not replace, amend, or supplement any terms or conditions of employment stated in any collective bargaining agreement that a union with the City of Cleveland.

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Employees should consult the terms of their collective bargaining agreement. Wherever employment terms in this policy differ from the terms expressed in the applicable collective bargaining agreement with the City of Cleveland, employees should refer to the specific terms of the collective bargaining agreement, which will control.

This policy has been issued under the authority of:



Signature

Director of Human Resources

Title

December 19, 2023 (**Effective: December 29, 2022**)

Date