

IOWA STATE UNIVERSITY

Professional and Scientific Council

Council Motion: Sending the Iowa State University Lactation Spaces and Policies Proposal to University Human Resources for action.

Submitted by: Peer Advocacy Committee
April 6, 2016

Whereas: The Peer Advocacy Committee has created a proposal to change current lactation spaces and policies to improve the Iowa State University Environment for P&S Employees as well as all faculty, staff, students, and visitors to our university.

Whereas: It was brought to the attention of the Professional and Scientific Council that there is a need for the following regarding lactation spaces across campus: an approval process, designated ownership, an education awareness campaign, an increased number, and a wider geographic distribution.

Whereas: It was brought to the attention of the Professional and Scientific Council that there is a need for guidance to assure awareness of and compliance with the portion of the Patient Protection and Affordable Care Act pertaining to break time for new mothers.

Whereas: The Peer Advocacy Committee brought together representatives from the University Work/Life Advisory Committee, the University Committee on Women, the Iowa State University Postdoctoral Association, the Child Care and Family Resources Office, the University Child Care Committee, the Margaret Sloss Women's Center, University Human Resources, Facilities Planning and Management, and additional members of the Professional and Scientific Council to create the March 31, 2016 Iowa State University Lactation Spaces and Policies Proposal.

Whereas: The Professional and Scientific Council supports the Iowa State University Lactation Spaces and Policies Proposal created on March 31, 2016 moving forward to University Human Resources as a recommendation.

It is moved: That the Iowa State University Lactation Spaces and Policies Proposal created on March 31, 2016 be sent to University Human Resources as a recommendation for further action.

Distribution: Steven Leath, President
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IOWA STATE UNIVERSITY

Professional and Scientific Council

Iowa State University Lactation Spaces and Policies March 31, 2016

The Professional and Scientific Council Peer Advocacy Committee proposes the following regarding Iowa State University Lactation Spaces and Policies:

- Creating an approval process for spaces to become designated lactation spaces in order to assure compliance with federal regulations and best practices regarding lactation spaces,
- Assigning ownership of the designated lactation spaces to a central administrative unit in order to provide consistent and uniform maintenance, communication, education, and overall coordination of the designated lactation spaces,
- Increasing the number and geographic distribution of the designated lactation spaces on campus,
- Creating a guidance document or policy to assure awareness of and compliance with the portion of the Patient Protection and Affordable Care Act (PPACA) (*Appendix A*) which requires employers to provide a nursing mother reasonable break time for new mothers to express breast milk after the birth of her child,
- The initiation of an awareness and education campaign for users, potential users, and non-users of designated lactation spaces.

Background

It was brought to the attention of the Professional and Scientific Council that there are several concerns regarding current lactation spaces on campus. The need for improved and designated lactation spaces on campus was also discussed during the July Council Priority Planning Session.

In response to these concerns, the Professional and Scientific Council Peer Advocacy Committee brought together representatives from the University Work/Life Advisory Committee, the University Committee on Women, the Iowa State University Postdoctoral Association, the Child Care and Family Resources Office, the University Child Care Committee, the Margaret Sloss Women's Center, University Human Resources, Facilities Planning and Management, and additional members of the Professional and Scientific Council to discuss current lactation spaces on campus.

This collaborative effort led to identification of the following issues with current lactation spaces on campus:

- Spaces are geographically located at significant distances from some work locations resulting in increased time away from work,

- Spaces lack appropriate amenities such as power outlets, temperature control, and/or appropriate lighting,
- Spaces are sometimes misused,
- Spaces lack sufficient privacy,
- Spaces are often found occupied when needed.

This collaborative group also identified that neither employees nor supervisors are aware of the portion of the PPACA regarding break time to express breast milk after the birth of a child.

In 2010 the number of lactation spaces on campus was greatly reduced as many of the existing lactation spaces were not in compliance with the PPACA and were removed or repurposed. Since then many non-compliant spaces have been created by departments and/or units to meet the need of employees, students, and visitors on campus.

Currently, the Margaret Sloss Women's Center hosts a list of lactations spaces on their website, along with resources for nursing mothers (*Appendix B*).

The collaborative effort also led to the creation of the following guidelines.

Guidelines

- Creating an approval process for spaces to become designated lactation spaces.
 - Enabling Iowa State University to assure that designated lactation spaces are not only in compliance with federal regulations, but also align with Society for Human Resource Management best practice recommendations (*Appendix D*). These spaces must include visible signage, a power outlet, appropriate seating, and a table or other surface that is not the floor.
 - Making those interested in creating a lactation space aware that the following additional items should be included whenever possible: a lockable door and a sink.
 - Additional items that would further improve lactation spaces include: adjustable lighting and a bulletin board for educational materials.
 - Assuring that the locations of all designated lactation spaces and the amenities that each space provides are known and can be included in maps and information.
- Assigning ownership of the designated lactation spaces to a central administrative unit in order to provide consistent and uniform maintenance, communication, education, and overall coordination of the designated lactation spaces. The responsibilities of the administrative unit would include:
 - Keeping the map and list of designated lactation spaces up-to-date.

- Ensuring that the designated lactation spaces continue to meet federal regulations and Society for Human Resource Management best practice recommendations for lactation spaces.
 - Providing a contact for questions, concerns, and issues regarding designated lactation spaces.
- Increasing the number and geographic distribution of designated lactation spaces on campus. Appendix C shows the distribution of current lactation spaces.
 - Highly trafficked, centrally located buildings should be focused on first, specifically the Memorial Union, with the goal of having an expansive distribution of designated lactation spaces across campus.
 - Designated lactation spaces should be on the ground or first floor, and/or near building entrances to make them more accessible to faculty, staff, students and visitors and decrease the travel time for those individuals coming to the building specifically to use the designated lactation space.
- Creating a guidance document or policy to assure awareness of and compliance with the portion of the PPACA which requires employers to provide a nursing mother reasonable break time to express breast milk after the birth of her child.
- The initiation of an awareness and education campaign for users, potential users, and non-users of designated lactation spaces.
 - Signs, posters, and other forms of public awareness should be used to educate campus and visitors about the availability and proper use of the designated lactation spaces.
 - The Iowa State University homepage campus map should be updated to include a layer for designated lactation spaces.

Conclusion

The Professional and Scientific Council recognizes the need for improved and designated lactation spaces on the Iowa State University campus in order to create a welcoming and supportive environment for all faculty, staff, students, and visitors to our campus. The guidelines in this proposal were created through a collaborative effort from stakeholder groups and address these needs for: an approval process, designated ownership, an education awareness campaign, an increased number, and a wider geographic distribution of lactation spaces, as well as guidance to assure awareness of and compliance with the portion of the PPACA pertaining to break time for new mothers.

Appendix A - 29 U.S.C 207(r)

Effective March 23, 2010, the Patient Protection and Affordable Care Act amended the FLSA to require employers to provide a nursing mother reasonable break time to express breast milk after the birth of her child. The amendment also requires that employers provide a place for an employee to express breast milk.

Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) is amended by adding at the end 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 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.

Source: http://www.dol.gov/whd/nursingmothers/sec7rflsa_btnm.htm

Appendix B - Margaret Sloss Women's Center Lactation Locations Webpage

<http://www.mswc.dso.iastate.edu/lactation-locations>

Detailed listing of lactation spaces:

Building	Room	Sink	Accessible	Note
Bessey Hall	140		X	
Carver Hall	0025A	X	X	
Carver Hall	0125A	X	X	
College of Vet Med	2615			
Cyclone Sports Complex	1031	X	X	Location at Concessions Bldg.
Extension-4H Bldg.	1144		X	Arrange with Linda Young
General Services Bldg.	183A		X	
Hach Hall	1243	X	X	
Lloyd Vet Med Center	1718	X	X	
Olson Building	1327			Arrange with admin staff member, 1st floor Jacobson Bldg.
Parks Library	61		X	Obtain key at circulation desk
Pearson Hall	3122		X	
Scheman Bldg.	0181A		x	
Spedding Hall	57		x	
Sukup Hall	0012A	X	x	
TASF	156A		x	
TASF	256A		x	
Troxel Hall	1113		x	Sink in neighboring family restroom

Appendix D - Society for Human Resource Management Compliance and Best Practices

Compliance Steps

To make support for breastfeeding mothers part of the company culture, Carothers recommended convening a task force to explore employee needs. The task force should include:

- Current and previous pregnant/breastfeeding employees.
- Lactation consultants in the community.
- Representative supervisors and co-workers.
- Facilities managers.
- Public relations, communications and marketing staff.
- Wellness program staff.

The task force should develop a plan to meet employee needs, examine company policies, identify potential lactation room space, provide training for supervisors and co-workers and "promote the program widely," Carothers advised.

Appropriate Amenities

The lactation room should be large enough for a chair with a flat surface for the pump, she noted. An electrical outlet is preferred. A lock is not required, but privacy must be ensured. Although they are not required by law, she recommended the room contain:

- A breast pump (so employees needn't tote their own back and forth).
- A sink.
- Anti-microbial wipes.
- A small refrigerator.
- Artwork.
- A bulletin board for baby photos.

Source:

<https://shrm.org/hrdisciplines/benefits/articles/pages/lactationroom.aspx#sthash.2Tqrh67m.2dN9CZ6p.dpuf>