



Official Policy of Ogden Preparatory Academy

6. Human Resources

6.10.POL Accommodations for Nursing Mothers

Effective/Revision Date: 03/17/2016

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Purpose

The Fair Labor Standards Act (FLSA) is a federal statute that regulates employment wage/hour and employee condition issues. The federal law and recent state law revisions (see HB 242, Utah Code §34-49-101 et seq.) require Ogden Preparatory Academy to provide reasonable break time and private space for employees who are nursing mothers to nurse and express milk for the school employee's own nursing children for at least one year after an employee's child's birth. This policy provides direction for compliance with the law and prohibits discrimination and harassment against qualifying employees.

Title IX Statement and Assurance of Compliance

Title IX protects students and employees from discrimination based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom, The School shall comply with all Title IX regulations.

Provisions

1. School administrators and department directors/supervisors are responsible for providing accommodations to employees requesting breaks under this policy and ensuring compliance.
2. If possible, administrators or supervisors will provide this information about workplace accommodations to employees prior to maternity leave.
3. Employees desiring accommodations provided by FLSA, state law, and this policy shall request the accommodation in writing to the ~~Human Resource Director~~ ~~Administrative Services Director~~. Employees who desire the accommodation shall notify the ~~Human Resource Director~~ ~~appropriate OPA administrator~~ at least 6 weeks in advance of the desired accommodation so that OPA may prepare for necessary accommodations. OPA will make its best efforts to provide adequate accommodations with less notice.
4. School ~~Administrators and Department directors/supervisors~~ shall work with employees to consider accommodations that meet employees' needs while minimizing disruption to the school or work environment. To the extent possible, consistent break schedules will be arranged.

Break Times

A nursing mother employee may take reasonable breaks each day to nurse or express milk for a nursing child. Although paid breaks are not required by the FLSA or state law, OPA will make reasonable accommodations without adjusting employees' pay. Employee breaks under this policy must be as short as practicable and, if possible, should run concurrently with any break time already provided to the employee.

Space

Breaks are contemplated on the work premises only, and will not be allowed off premises unless such an arrangement causes fewer disruptions, in the school's judgment, to the employee's work day. If a request is made, ~~Administrators or~~ ~~Department director/s~~ supervisors shall identify a private function room or space that is not a bathroom where an employee may nurse or express milk for a nursing child. The private space should be reasonably proximate to the employee's work area, include an electrical outlet for the use of an electric breast pump, be shielded from view, and be free from any intrusion from co-worker and the public.

Document History

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Legal References

Fair Labor Standards Act (FLSA)

HB 242, Utah Code §34-49-101 et seq.