

**Executive Branch Lactation Accommodation Policy**  
**Department of Administrative and Financial Services**  
**Bureau of Human Resources**

*This policy complies with Maine's Nursing Mothers in the Workplace Law.*

Breastfeeding employees need ongoing support in the worksite to be able to provide milk for their babies. To that end, the Bureau of Human Resources has developed a Lactation Accommodation Policy to provide departments and agencies with the framework and expectations for the following:

- Creating and promoting a work environment in the Executive Branch of State government that supports employees to express breast milk in compliance with the Maine's Law (26 M.R.S.A. § 604), [Nursing Mothers in the Workplace](#).
  - Nursing Mothers in the Workplace law: An employer, as defined in [section 603, subsection 1, paragraph A](#), shall provide adequate unpaid break time or permit an employee to use paid break time or meal time each day to express breast milk for their nursing child for up to 3 years following childbirth. The employer shall make reasonable efforts to provide a clean room or other location, other than a bathroom, where an employee may express breast milk in privacy. An employer may not discriminate in any way against an employee who chooses to express breast milk in the workplace.
- Encouraging employees and management to have a positive, accepting attitude toward working employees who are expressing breast milk.

**Policy:** The Bureau of Human Resources Lactation Accommodation Policy applies to all departments and agencies of the Executive Branch and represents the minimum required provisions for all Executive Branch Lactation Accommodation Policies. If a separately developed department or agency Lactation Accommodation Policy is less rigorous or is silent on a provision, the provisions in this policy take precedence.

It shall be the policy of the Executive Branch of State government to provide:

**1.) Time to Express Milk**

In order to meet the requirements under the law, employees will be provided adequate break time to express breast milk for up to three years following the child's birth. Departments and agencies will allow flexibility in the employee's schedule with time beyond the regular break time to express milk as unpaid break time, with the option to use personal leave or vacation time if necessary. Employees and/or supervisors should contact HR with any questions about whether the time provided is adequate.

**2.) A Place to Express Milk (Lactation Room)**

Employees will be provided with a clean room or other location, which is not a toilet stall or bathroom, where an employee may express breast milk in privacy. Human Resources shall work with employees and their supervisors to determine a secure and private area for this purpose. It is recommended employees communicate with Human Resources prior to their parental leave. This will allow time for Human Resources to identify a lactation room for the employee to use once they return from leave.

The Lactation Room will be:

- Private, with a lock on the door
- Equipped with an electrical outlet
- In close proximity to the employee's work area when possible
- Furnished with comfortable seating
- Well lit
- In close proximity to a sink or running water when possible
- In close proximity to refrigeration when possible

Employees who work in a field location should work with HR to identify a space to express breast milk.

### **3.) Atmosphere of Tolerance**

Discrimination and harassment of employees who are expressing milk is unacceptable and will not be tolerated. Employees should speak with Human Resources if they experience any discrimination or harassment as a result of milk expression.

### **4.) Communication**

This policy will be available on [the Bureau of Human Resources' website](#). Additionally, information on the policy can be found in the [employee handbook](#) for all incoming and current employees. Information about lactation support after returning to work should be provided to employees prior to their parental leave.

Date: \_\_12/20/2021\_\_\_\_\_