



## JOINT INDUSTRY BOARD OF THE ELECTRICAL INDUSTRY LACTATION IN THE WORKPLACE POLICY FOR NURSING MOTHERS

### POLICY STATEMENT

The Joint Industry Board of the Electrical Industry (the “Joint Industry Board”) is committed to providing a supportive and encouraging workplace environment to enable nursing-mother employees to express their breastmilk during normal work hours. No such employee who chooses to express breast milk in the workplace shall be discriminated against in any form. Neither will the Joint Industry Board tolerate any hostility or retaliation toward such employee. Supervisors and co-workers are reminded to respect and be sensitive to an employee's decision to nurse their child.

### NOTICE

In accordance with Section 7(r) of the Fair Labor Standards Act, Sections 8-102 and 8-107 of the Administrative Code of the City of New York, and Section 206-c of the New York State Labor Law, the Joint Industry Board is providing notice to all of its employees of their right to take reasonable unpaid break time, or use regularly scheduled paid break or meal periods, for the purpose of expressing breastmilk for their nursing child in a lactation room for up to three years after that child's birth, as further detailed below.

### AUTHORIZED BREAKS FOR NURSING MOTHERS

For up to three (3) years following the birth of their child, a nursing-mother employee may elect to take unpaid break time and/or use regularly scheduled break or meal times during their standard work week and any overtime or additional hours worked to express breast milk for their nursing child:

- (a) **Unpaid Break Time.** A nursing-mother employee is entitled to at least thirty (30) minutes of reasonable unpaid break time to sufficiently allow that employee to express breast milk for their nursing child each day. While the number of required unpaid breaks to express breastmilk per day may vary depending on the needs of the individual nursing-mother employee, if requested, such employee shall be entitled to no less than thirty (30) minutes of unpaid break time at least once every three hours each day for the purpose of expressing breast milk. An employee may elect to take shorter unpaid breaks for this purpose. While the Joint Industry Board will make every effort to accommodate every unpaid break request, a nursing-mother employee may be required to postpone a scheduled unpaid break time for no more than thirty (30) minutes if such employee cannot be spared from their duties until there is appropriate coverage.

A nursing-mother employee may work before or after their normal shift to “make up” the amount of time used during the unpaid break(s) for the expression of breast milk so long as such additional time requested falls within the Joint Industry Board's normal work hours. The time(s) and day(s) to “make up” such unpaid time shall be negotiated with and determined by the employee's immediate supervisor and Human Resources.

- (b) **Regularly Scheduled Paid Break or Meal time.** A nursing-mother employee may also use regularly scheduled paid break and meal times for the purpose of expressing breast milk each day. Such paid time is not intended to replace, modify, or add to the paid break and/or meal times provided for in the employees' respective collective bargaining agreements for members of Local 153 OPEIU, Local 32BJ SEIU, Local 66, and Local 3 IBEW. Rather, if an employee elects to use their regularly scheduled paid break or meal times to express breastmilk, such breaks shall run concurrently with those break and/or meal times authorized under, or otherwise permitted by, the respective collective bargaining agreement.

For any additional paid break time which a nursing-mother employee may elect to request to use for the expression of breast milk (beyond the employee's regularly scheduled break or meal times), such employees



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may use personal or vacation time with the prior written approval from that employee's immediate supervisor and the Human Resources Department.

### **DESIGNATED LACTATION ROOM AND BREASTMILK STORAGE**

***Lactation Room.*** Upon a nursing-mother employee's advance notice and request to Human Resources as provided herein, the Joint Industry Board shall make reasonable efforts to provide a designated private lactation room to such employee to express their breastmilk in close proximity to their work area. This lactation room shall be private, clean, sanitary, and well-lit at all times through natural or artificial light. The room shall also contain a chair, a flat surface (upon which a breast pump or other personal items may be placed), a refrigerator in reasonable proximity to the employee's work area, a functional lock, an electrical outlet, and nearby access to running water. The room shall not be a restroom or bathroom. If applicable, the employee may elect to use their own private office space or another location mutually agreed upon after consultation with the employee's supervisor and Human Resources Department.

***Breastmilk Storage.*** The expressed breastmilk can be stored in the refrigerator provided in the designated lactation room, in the general company refrigerators located in the break room, or in the employee's personal cooler. The Joint Industry Board is **not** responsible for ensuring the safekeeping of expressed breastmilk stored in any refrigerator on its premises. The employee is required to store all expressed breastmilk in closed containers, regardless of the method of storage, and must bring such breastmilk home with them after each work day.

### **NURSING-MOTHER EMPLOYEE RESPONSIBILITIES AND NOTICE REQUIREMENTS**

***Notice and Request Process.*** Nursing-mother employees who elect to use the designated lactation room and unpaid or regularly scheduled break or meal time benefit to express breastmilk **must provide advance notice** to Human Resources by completing the attached "*Request Form For Room Use*" (the "*Request Form*"). Upon timely submission to the Human Resources Department, the *Request Form* will be responded to within a reasonable time (not to exceed five business days). In the event that an employee's request for a designated lactation room will impose an undue hardship on the Joint Industry Board, the Human Resources Department will engage in a cooperative dialogue with the employee to accommodate the employee's individual need.

The completed *Request Form* should be given to the Human Resources Department prior to the employee's return to work following the birth of their child to permit the Joint Industry Board sufficient opportunity to establish a private lactation room, accommodate the employee's work schedule or unpaid break time requests, and/or schedule leave time amongst multiple employees, as needed.

When more than one employee requires the use of the designated lactation room, employees can use a sign-in log provided by the Joint Industry Board to coordinate times with Human Resources that are convenient or best meet the individualized needs of the employees requiring a lactation room.

***Communication with Supervisor and Human Resources.*** Nursing-mother employees who request to take unpaid breaks or additional paid time to express breastmilk during normal work hours shall keep their immediate supervisors and the Human Resources Department informed so that appropriate accommodations can be made to satisfy the needs of both the employee and the operation of the employee's respective Department.