

MMC VII-21 Workplace Lactation Policy

4/1/26

👤 Revised by Kaltrina Rugova

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HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Workplace Lactation Policy
APPROVED:  SHEILA McGRATH	POLICY NUMBER: VII-21
	DATE ISSUED: 12/15/11
	DATE REVIEWED/REVISED: 4/1/26

GENERAL POLICY:

Montefiore Medical Center (Montefiore) provides accommodations to Employees who express breast milk during work hours. Pursuant to this policy and applicable law, Employees may express breast milk during work hours for up to three years following the birth of a child. Montefiore is aware of the positive health effects of breastfeeding on both mother and child. Consistent with that knowledge and its goal of promoting a culture of health and wellness, Montefiore provides a lactation-friendly environment and supports Employees who continue to breastfeed and express breast milk after returning to work. Montefiore's policy adheres to all applicable Federal, State and local laws, including the New York City Human Rights Law.

All Employees are responsible for providing a respectful and supportive atmosphere for Employees who express breast milk in the workplace. Montefiore will not tolerate discrimination, harassment, or retaliation against Employees who express breast milk in the workplace, who have made a request to do so, or who have filed a complaint regarding workplace lactation. Employees who engage in discriminatory, retaliatory, or harassing behavior will be disciplined, up to and

including termination. Any discrimination, harassment, retaliation, or other violation of this policy can be reported as set forth in HR Policy VI-6, Non-Discrimination and Anti-Harassment (including Sexual Harassment).

A private room and reasonable amount of break time should be provided to Employees to express breast milk, in accordance with the following guidelines.

Lactation Breaks

Montefiore will provide Employees with up to thirty (30) minutes of paid break time, and/or the opportunity to use their available paid break time or meal time for time in excess of thirty minutes, each time the Employee has reasonable need to express breast milk (see Section 206-c of the New York State Labor Law; HR Policy IV-7, Rest Periods; and any similar provisions of any applicable collective bargaining agreement ("CBA")). An Employee may use their regular paid break time or meal time to express breast milk but is not required to do so.

The duration of a break can vary depending on the personal needs of the Employee, and Montefiore will not set a minimum or maximum duration for such breaks. Employees can request, and Montefiore must provide, lactation breaks as often as the Employee reasonably needs to express breast milk.

Montefiore, including Supervisors/Managers, must respond to a request for lactation break time within a reasonable timeframe, but not to exceed five business days.

Employees and Managers are expected to work in a cooperative manner to meet an Employee's lactation needs and to meet business needs.

Employees can contact Employee and Labor Relations at (914) 922-6001 with any concerns regarding lactation breaks.

Lactation Areas, Request Form and Process

In addition to providing the necessary time during the workday, Montefiore must provide a private room or alternative location for Employees to express breast milk. A private room or space that has good natural or artificial light, shielded from view and free from intrusion, should be designated and made available for Employees to express breast milk. Bathrooms, open air cubicles, closets, and shared spaces must not be designated for this purpose. Montefiore has established designated lactation rooms and equipped such rooms with an

electrical outlet for personal electric breast pump usage, a table, chair(s), a trash can, a sink close by for hand washing and rinsing out containers and breast pump parts, and a refrigerator for storage of expressed milk.

For access to designated lactation rooms, Employees must complete the Montefiore Employee Lactation Room Access Request Form and submit it through the Employee Center in ServiceNow at <https://montefiore.service-now.com/>

. Employees are encouraged to submit this Form before their return to work to allow sufficient time for processing. The Moses, Einstein, Wakefield, Westchester Square, the Hutch, Fordham Plaza, Yonkers, and Tarrytown campuses have designated lactation rooms, the locations of which are noted on the Access Request Form.

Employees utilizing lactation rooms are individually responsible for cleaning up after themselves and keeping the room ready for the next user, although Montefiore is otherwise responsible for routine cleaning and maintenance of lactation rooms. This responsibility extends to both designated milk expression areas as well as other areas where expressing milk may occur. Employees should not leave any personal items, including their personal breast pumps, in the lactation areas when not being personally utilized.

If an Employee works in a location that is not in reasonable proximity to a designated lactation room, they are to engage in a discussion with their Manager to locate a suitable room for their lactation needs. If Employees prefer, and where it does not create an undue hardship for Montefiore, they may express breast milk in their own private office or other suitable locations as agreed upon by their Manager. If a suitable location to express breast milk is not agreed upon after discussion with their Manager, the Employee can contact their HR Business Partner or Employee and Labor Relations at (914) 922-6001.

If the number of Employees that need to use a dedicated lactation room at the same time exceeds the capacity of the lactation room (some dedicated lactation rooms have capacity for either 1 or 2 Employees), the affected Employee(s) can inform their HR Business Partner or Manager of that situation to explore alternative accommodations. Montefiore will discuss various options with all affected Employees who use the lactation room to determine what arrangement addresses each Employee's needs such that each Employee has appropriate access to a lactation room. Options may include: finding an alternative clean space free from intrusion; sharing the space among multiple users; or creating a schedule for use. Any accommodation will ensure that each Employee is afforded the required amount of time to express breast milk.

Response to Requests

Montefiore, including Managers/Supervisors, is to respond to a request for break time, a lactation room, or accommodation within a reasonable timeframe not to exceed five business days.

If Montefiore believes that the request for a lactation room/space poses an undue hardship on Montefiore, Montefiore shall engage in a cooperative dialogue, which can be written or oral, concerning the Employee's accommodation needs; potential accommodations that may address the Employee's accommodation needs, including alternatives to a requested accommodation; and the difficulties that such potential accommodations may pose for Montefiore. At the conclusion of the cooperative dialogue process, Employees will be notified in writing via the Grant or Denial of Reasonable Accommodation Request Form whether the request has been granted, denied or an alternative accommodation will be provided. Human Resources or the Employee's Manager will complete the Grant or Denial of Reasonable Accommodation Request Form. The Employee is to sign the form to indicate receipt of the form and a copy will be kept in the Employee's departmental file. The template Grant or Denial of Reasonable Accommodation Request Form is available on the Montefiore Intranet.

Employee and Labor Relations must approve any denial of a request for accommodation.

See also Human Resources Policy VI-8: Non-Discrimination Against and Accommodation of Individuals with Disabilities (including Pregnancy) for Montefiore's policy regarding accommodation requests for pregnancy, childbirth, or related medical conditions.

Breastfeeding Equipment

Employees are required to provide their own breast pumps for use in expressing milk during work hours.

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Breast Milk Storage

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Employees are personally responsible for the storage of their expressed milk. Where provided, milk may be stored in refrigerators provided by Montefiore and must be clearly labeled with the Employee's name. To ensure the safety of the

stored breast milk, it is recommended that the container used to store the milk be sealed in a plastic bag to avoid leakage or contamination. Employees may also bring in small ice chests for storing breast milk.

All Medical Center Human Resources policies and practices are guidelines and may be changed, modified or discontinued at any time by the Medical Center's Senior Vice President of Human Resources, or designee, with or without notice. Exceptions do not invalidate the basic policy.

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