STATE OF OHIO
ADJUTANT GENERAL'S DEPARTMENT
2825 West Dublin Granville Road
Columbus, Ohio 43235-2789

NGOH-HRO-EEO 13 February 2013

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Lactation Accommodation Policy (HRO Policy Letter 13-001)

1. **REFERENCES.**

a. United States Code: Title 29 Section 207, Chapter 8, Para R, Section 1 (29 USC 207 (r) (1)).

b. Air Force Instruction 44-102, Chapter 4, Section 4.16.

c. Army Female Soldier Readiness Guide.

d. Ohio Department of Administrative Services, Directive No. HR-D-16.

2. **PURPOSE.** This policy letter permits nursing mothers the option to take reasonable breaks in order to express milk in compliance with the Fair Labor Standards Act (FLSA). The Ohio Adjutant General's Department is committed to supporting our working mothers who choose to breastfeed their infants.

3. Supervisors shall designate an acceptable area that is, shielded from view and free from intrusion, in compliance with the requirements listed below. The location must be available whenever a nursing mother has the need to express milk however, is not required to be exclusive for that purpose.

4. The lactation area must meet the following requirements:

a. Bathrooms are not acceptable.

b. Is equipped with an electrical outlet.

c. In reasonable proximity to the nursing mother's work area.

d. In reasonably close proximity to a clean sink.

e. Has seating and a table or flat surface.

f. Has a door that is able to be securely locked from the inside.

g. A "DO NOT DISTURB" sign is available.

5. For up to one year after the child's birth, a nursing mother will be provided a "reasonable break time" and a more flexible approach in scheduling her break times to express milk. Each Supervisor of a nursing mother shall:

a. Cooperate with nursing mothers, in scheduling normal paid break times (two 15 minute periods during each 8 hour work day).

b. If the two normal paid break times are not adequate, allow nursing mothers the option of a flexible work schedule or to use accrued paid leave (vacation, personal, compensatory time) for their reasonable break times.

c. If a nursing mother chooses not to flex her schedule or has no accrued paid leave, allow them to take unpaid leave each time she has the need to express milk. Unpaid leave shall not be counted as hours worked and may impact other employment benefits.

6. For additional information, please contact the State Equal Employment Office at (614) 336-7497.

FOR THE ADJUTANT GENERAL:

HOMER C. ROGERS, JR.
COL, FA, OHARNG
Director of Human Resources

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