



## Lactation Accommodation

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### PURPOSE

RCW 43.10.005, the Fair Labor Standards Act, 29 U.S.C. §207(r), and the Providing Urgent Maternal Protections for Nursing Mothers Act, govern the County's obligation to provide a reasonable break time for an employee to express milk for their nursing child for two years after the child's birth, each time the employee needs to express milk. The County is also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk. Beyond the legal requirements, research shows that lactation accommodation at work can lower medical costs for the employee, lower absenteeism, improve productivity and raise employee morale and organizational loyalty.

### POLICY APPLICABILITY

The county's Lactation Accommodation Policy applies to all employees in the executive branch departments, offices, and divisions, including the Assessor's Office and King County Elections. "Employees" includes all career service, provisional, temporary, probationary, and appointed employees. Departments may have additional procedures or requirements due to the nature of their work. In the event any provision of this policy conflicts with an applicable provision of a collective bargaining agreement or binding past practices, the latter shall prevail.

### POLICY

#### Lactation Time

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Managers and supervisors must provide an employee a reasonable amount of time, as frequently as needed, for an employee to express milk during the workday. The frequency of breaks and the duration of each break vary widely by individual and from break to break. Lactation time includes time traveling to the space, setting up equipment, expressing milk, properly storing milk, cleaning equipment, and returning to work.

Hourly employees may use their paid break periods and/or accrued leave for time needed to express milk during the workday; employees will not be paid for time beyond the paid break periods prescribed in the Personnel Guidelines.

FLSA-exempt employees may express milk during the workday. Nursing parents may request a flexible work schedule, subject to approval by the manager or supervisor, to address their individual needs, e.g., the meal break may be temporarily modified or the beginning and/or ending of the workday may be temporarily adjusted. Alternate work arrangements should be documented in writing between the employee and supervisor, with human resource representative participation.

## **Lactation Rooms**

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Designated lactation rooms are available at some King County worksites. A list of designated lactation rooms and scheduling information can be found [here](#). Employees in work locations that do not have a designated lactation room should arrange with their supervisor and Human Resources Manager to identify a location to be used as a lactation room.

Lactation rooms must be:

- private (if the room has windows, drapes or blinds are required);
- free from intrusion from coworkers and the public; and
- functional (comfortable seating, a table, and power outlets).

Although not required, when possible, the lactation room should also be:

- near a sink with hot water and soap for hand washing and cleaning equipment;
- near a refrigerator for storage of expressed breast milk;
- lockable from the inside; and
- located close to the employee's work area.

A bathroom, even if private, is not a permissible lactation room.

## **Responsibilities**

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### *Employees*

Any necessary equipment (breast pump, storage containers, etc.) should be securely stored at the employee's workstation or at another storage area designated by management. These personal items should not be stored in a county lactation room, unless management designates the lactation room as the appropriate storage location. Employees using designated lactation rooms must observe all posted guidelines, such as signup sheets, cleanup procedures, hours of availability, security guidelines, or other relevant guidelines.

### *Supervisors*

Supervisors must work with employees and human resources staff to find a suitable lactation room and lactation time, as described above. A positive, accepting attitude from management helps nursing parents feel confident in their ability to continue working while breastfeeding.

### *Human Resources Staff*

When a human resources professional is aware of an employee preparing for an approaching childbirth or parental leave, this policy should be provided to the employee. Human Resources Managers are responsible for working with supervisors and the employee to find a suitable lactation room and lactation time, as described above.

## **Education and Support**

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Employees have access to additional support and education for breastfeeding through the following resources:

- King County healthcare benefits may cover breastfeeding-related resources and services, such as a breast pump. For specific information contact the County's health plan or Benefits Payroll and Retirement Operations at 206-684-1556 or [kc.benefits@kingcounty.gov](mailto:kc.benefits@kingcounty.gov).
- King County's [Balanced You](#) program website offers additional information to support breastfeeding employees, including links to community resources.

## **Prohibition Against Discrimination and Retaliation**

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King County is committed to supporting employees who are nursing parents and does not tolerate discrimination or retaliation. Nursing parents who express milk during the workday are protected from discrimination for doing so. Additionally, nursing parents are protected from retaliation for filing a claim of discrimination. Discrimination and/or retaliation are misconduct in violation of this policy and an employee engaging in such activity may be subject to discipline, up to and including termination.

Any county employee who experiences or witnesses what may be discrimination or retaliation toward a nursing parent, is strongly encouraged to address it by asking the person to stop the behavior; and/or reporting the alleged incident via the reporting procedures in the [Nondiscrimination, Anti-Harassment & Inappropriate Conduct Policy & Reporting Procedures](#).

## **QUESTIONS**

Refer questions or comments to your department's [Human Resources Manager](#) or the Department of Human Resources.