



# Workplace Guidelines for Lactation



**DENVER**  
THE MILE HIGH CITY



## Table of Contents

Support for New Parents is is Good for Business.....	1
The City and County of Denver is Committed to Helping New Parents.....	1
Lactating Works at the City and County of Denver.....	2
Accomodating Nursing Employees at Work is the Law.....	3
Basic Needs of Nursing Employees.....	4
Checklist for Departments/Agencies.....	6
Worksite Self-Assessment.....	7
Resources.....	8
Notes.....	10



## Support for New Parents is Good for Business

Providing support for new parents at work is good for health and business! The Office of Human Resources (OHR) Wellness team and Mayor's Office of Social Equity & Innovation are available to provide support to help your department/agency comply with Colorado and federal laws to improve your bottom line.

Hundreds of companies across America provide lactation support programs as part of their family-friendly benefits platform. They've learned that lactation accommodations at work produce a **three-to-one return on investment** due to:

- **Lower health care costs due to healthier babies and parents**

*Mutual of Omaha found that their newborn health care costs are three times less when employees participate in a lactation program. They save \$2,146 for each employee.*

- **Reduced rate of absenteeism due to infant illness (among both mothers and fathers)**

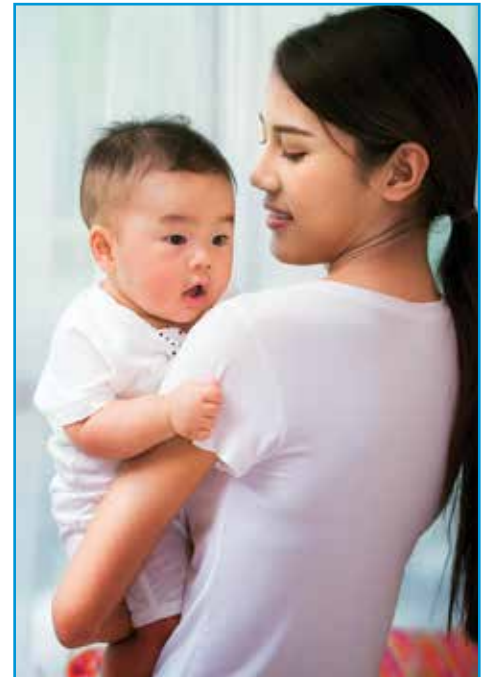
*A major insurance company, CIGNA, found a 77 percent reduction in lost work time since babies who receive breastmilk are healthier. The company saves more than \$60,000 per year in lower absenteeism rates.*

- **Lower turnover rates**

*A nine-company study found that the average return-to-work rate is 94 percent when a lactation program is provided.*

- **Improved employee productivity and loyalty**

*Many companies report that their employees are more productive and loyal when they provide parents with lactation support, such as time and space to express milk while at work.*



## The City and County of Denver is Committed to Helping New Parents

OHR Wellness and the Office of Social Equity & Innovation can help your department/agency accommodate nursing parents. Contact [wellness@denvergov.org](mailto:wellness@denvergov.org) to learn how to best comply with the regulations regarding lactation accommodation. Employees who are about to go on leave can contact OHR Wellness or the OHR Leave team to learn about lactation accommodation in their facility.

### **Making Breastfeeding Work for Employers**

**Accommodating nursing employees in the workplace can work for YOUR department/agency.**

More than three out of every four women choose to nurse their baby, and many plan to continue once they return to work. Your support will make that possible.

The requirements are simple: a **clean private area to express milk and a short break every two or three hours.**

## Breastfeeding Works at the City and County of Denver

“ I remember when my wife was trying to nurse our kids and how she felt like she was always left in some room by herself, or she had to use her car. I was embarrassed that our employees were using a file closet. I wanted them to have a comfortable place to go. ”

*Scott Gilmore, Deputy Executive Director, Parks and Recreation*



“ I came back from work in February after having my second child and the experience this time around with pumping at work has been so much better than it was the first time. ”

*Stephanie Swift, Associate Financial Analyst, Department of Finance*

“ Allowing staff the time and place to pump at work helps them adjust back to work after having a baby and shows that we supports their effort to continue nursing. ”

*Heather Britton, Director of Benefits & Wellness,  
Office of Human Resources*



## Accommodating Nursing Employees at Work is the Law

### Federal Law

The Fair Labor Standards Act (FLSA) was amended in 2010 with the passage of the federal Patient Protection and Affordable Care Act, requiring employers to accommodate nursing women who wish to express milk for their infants during the work period. The law stipulates that employers must provide:

- Reasonable time
- Private space to express milk (that is not a bathroom)

### Colorado Laws

#### Colorado Workplace Accommodations for Nursing Mothers Act

In 2008, Colorado lawmakers passed the Workplace Accommodations for Nursing Mothers Act that requires employers to make breastfeeding accommodations in the workplace by:

- Providing reasonable, unpaid break time or allowing an employee to use paid break and/or meal time to express breast milk for her nursing child for up to 2 years after the child's birth
- Making reasonable efforts to provide a nursing parent with a private location in close proximity to their work area (other than a toilet stall) to express milk
- Not discriminating against employees for expressing milk in the workplace

#### Breastfeeding in Public Act

Colorado Revised Statutes §25-6-302 establishes that a person may breastfeed in any place they have a right to be. This Act acknowledges that Colorado is involved in the national movement to recognize the medical importance of breastfeeding, within the scope of complete pediatric care, and to encourage removal of societal boundaries placed on breastfeeding in public.

#### Postponement of Jury Service for a Person Who is Breastfeeding a Child Act

Colorado Revised Statutes §13-71-119.5 (2.5) establishes that a person who is breastfeeding a child is eligible for two 12-month postponements of jury service.

### 5 Simple Steps to Compliance

1. Start the conversation about the needs of lactating parents in your department/agency.
2. Complete the self-assessment, "Checklist for Departments/Agencies," on page six and contact OHR Wellness to develop a plan based on the assessment.
3. Identify space and time options that comply with the law.
4. If your building does not comply with the Colorado Workplace Accommodations for Nursing Mothers Act, create a designated location space and reference the [Webb Building Room Use Guidelines](#). Revise the guidelines according to your building's accommodations.
5. Continue to promote and improve your lactation support services through employee education, manager training and by soliciting feedback from employees.

Compliance is possible in nearly every work setting, and there are many resources to help. For more information about these laws, contact:

- Colorado Breastfeeding Coalition: [www.COBFC.org](http://www.COBFC.org)
- Colorado Department of Public Health and Environment: [www.BreastfeedColorado.com](http://www.BreastfeedColorado.com)
- Colorado Department of Labor and Employment: <https://cdle.colorado.gov/labor-library-nursing-mothers>
- U.S. Department of Labor: [www.dol.gov/whd/nursingmothers](http://www.dol.gov/whd/nursingmothers)

## Basic Needs of Nursing Employees

The American Academy of Pediatrics (AAP) and the World Health Organization (WHO) recommend that babies be exclusively breastfed for about the first six months of life. Continued breastfeeding, along with appropriate complementary foods, should continue for up to two years of age or beyond.

### Support

Nursing employees at work need information, support and simple accommodations to reach their infant-feeding goals. Providing a little extra break time and space to express their milk is a temporary need. Be sure to inform employees about their nursing options prior to their leave.

Employers and supervisors set the tone for an environment of support that enables employees to feel comfortable and confident using lactation services, so don't forget to train supervisors on how to identify and respond to requests. The Office of Human Resources staff is a valuable source of information to help both employees and supervisors find solutions that will work in your situation. Some departments/agencies also establish lactation policies to ensure that consistent support is provided for all employees who need lactation services.

### Expressing Milk

Nursing parents make milk continuously. To keep production high, a nursing employee must either feed the baby directly or express their milk with a breast pump about every two or three hours. Once the milk is expressed, the body replaces the milk. If it is not expressed, the amount of milk they produce will decline.

Many nursing employees choose to express their milk when they are at work and cannot be with their babies. The milk can be safely stored in a small refrigerator in or near the lactation room, in an insulated lunch bag, or in a general employee refrigerator. Since the Occupational Safety and Health Administration (OSHA) considers human milk to be food, not a biohazard, human milk can be safely stored in the employee refrigerator.

### Getting a Breast Pump and Lactation Support from Your City Medical Plan

All City and County of Denver medical plans provide free pumps to parents. For instructions on how to obtain a free pump from your insurance provider, visit the [Pregnancy and Early Parenting page on DenverHub](#).

#### Did You Know?

An employee's nursing needs at work may change as their babies grow.

- Right after returning from leave, nursing employees may need to express milk more frequently.
- When babies begin eating solid foods around six months of age, many nursing employees find they do not need to express milk as often.
- Babies go through periods of rapid growth, requiring the nursing employee to add an extra milk expression session at work for a few days to keep up with the baby's demand. At other times, babies will need less milk.
- Ongoing dialogue with nursing employees will help assure that their needs and the needs of the business are being addressed.



## Basic Needs of Nursing Employees - Continued

### Time to Express Milk

It takes around 20 minutes for most nursing employees to express their milk (not counting the time to get to and from the milk expression area), though some nursing parents might require a little longer at first. Most nursing employees do this about every two or three hours.

Most nursing employees are able to use their regular breaks or meal period and will clock in and out as usual. If extra time is needed, they can discuss options with their supervisor, such as taking it as unpaid time, coming in a little earlier or later, or taking a shorter meal period.

### Private Space

The law requires a business to provide a private area free from intrusion from co-workers and the public. Privacy can be assured with a lock on a door and/or signage that protects the nursing employee's privacy, covering windows as needed, etc. A quiet, private area will also help them to relax so milk expression is quicker and more efficient.

There are many options, including the employee's own office if it is private, the office of a co-worker or supervisor, a conference room, or other small private area not in use. Many companies create a designated lactation space if they have more than one employee who would benefit from it. The room can be as simple or as elaborate as desired, and a space large enough to accommodate a chair and a flat surface for the pump is all that is needed. Ideally, the room will be located near running water and will include an electric outlet for plugging in the breast pump and a door that can be secured. However, the room cannot be a bathroom.

For a list of available rooms, refer to the following documents:

[Webb Building Room Use Guidelines](#)

[Department of Safety Room Use Guidelines](#)

[Denver International Airport Room Use Guidelines](#)



## Checklist for Departments/Agencies

When an employee requests lactation accommodations, the following checklist can help you plan.

- Discuss the department/agency's lactation policy for supporting nursing parents prior to the employee's leave, if possible, so you can make any needed arrangements while they are away.
- Be enthusiastic and let them know you support their decision to nurse.
- Ensure that the employee's direct supervisor and other relevant managers are aware of their needs.
- Review the employee's typical work/break schedule to arrange for milk expression breaks.
- Arrange for coverage (such as using "floaters") while the employee is away from their work station.
- Identify private space that is not a bathroom.
- Seek feedback from the employee and her supervisor.

Studies show that the U.S. could save more than \$13 billion in health care costs and save the lives of nearly 1,000 babies if 90 percent of parents nursed their infants exclusively to at least six months of age. The U.S. Surgeon General has issued the Call to Action to Support Breastfeeding, urging employers to provide basic lactation accommodations to help nursing employees continue to give their milk to their babies after returning to work.

For information about where to find and how to reserve space in the lactation rooms in your building, visit the [Pregnancy and Early Parenting page on DenverHub](#).

## Worksite Self-Assessment

Department/Agency Name \_\_\_\_\_ Contact \_\_\_\_\_

Email \_\_\_\_\_ Phone \_\_\_\_\_

**Policy:** *An explicit policy or set of guidelines outlining organizational support for breastfeeding employees*

Progressing	Lactating Friendly	Lactating Advocate
<ul style="list-style-type: none"> <li><input type="checkbox"/> No lactating policy</li> <li><input type="checkbox"/> Lactating policy is informal and is not written or regularly communicated to staff</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> A lactating policy has been written but it is not regularly distributed or communicated to all employees</li> <li><input type="checkbox"/> A lactating policy is written and it is distributed or communicated to all employees at least once a year</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Lactating policy-related information is provided to all new hires</li> <li><input type="checkbox"/> Lactating policy-related training is provided to all new managers</li> <li><input type="checkbox"/> Insurance plans cover lactating equipment or lactating services</li> </ul>

**Time:** *Workplace flexibility*

Progressing	Lactating Friendly	Lactating Advocate
<ul style="list-style-type: none"> <li><input type="checkbox"/> There are significant barriers to nursing employees scheduling breaks and work patterns to provide time to breastfeed, express, or pump breastmilk during the work day</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> There are few or no barriers to nursing employees scheduling breaks and work patterns to provide time to breastfeed, express or pump breastmilk during the workday</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Working out a flexible schedule with supervisor</li> <li><input type="checkbox"/> Directing employees to the Employee Assistance Program for help finding childcare</li> </ul>

**Space:** *Accessible, clean, private, and safe space other than a bathroom for employees to express or pump breastmilk*

Progressing	Lactating Friendly	Lactating Advocate
<ul style="list-style-type: none"> <li><input type="checkbox"/> There are no designated lactation rooms available</li> <li><input type="checkbox"/> Lactation rooms are only available and identified as the need arises</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Prioritized lactation room(s) are identified and can be used by employees as needed</li> <li><input type="checkbox"/> Lactation rooms are solely designated as lactation room(s) for employees</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Refrigerator space is prioritized for breast milk storage in proximity to the pumping space</li> <li><input type="checkbox"/> A functioning sink is in proximity to the pumping space for employees to clean pumping equipment</li> <li><input type="checkbox"/> Lactation-friendly messaging and/or graphics are around the workplace</li> <li><input type="checkbox"/> Customers may breastfeed in public spaces</li> </ul>

## Resources

### City and County of Denver

#### **GuidanceResources**

The Employee Assistance Program (EAP) provides advice for finding childcare providers in your neighborhood, lactation support and guidance on postpartum depression. Contact the EAP by calling 877-327-3854 or going to [www.guidanceresources.com](http://www.guidanceresources.com) and using the web ID: **DENVEREAP**. Use the **Ask A Guidance Consultant** feature to have a consultant contact you.

#### **Denver Department of Public Health and Environment**

Find childcare centers that are breastfeeding friendly in Denver. Healthy child care grows healthy kids. Denver's Healthy Eating, Active Living (HEAL) in Child Care Program is a voluntary and free program, committed to supporting licensed child care providers in creating a healthy environment for children and staff. Visit [www.denvergov.org/healchildcare](http://www.denvergov.org/healchildcare) to learn more.

### Colorado

#### **Colorado Breastfeeding Coalition**

A volunteer organization of physicians, nurses, public health officials, dietitians, lactation consultants, counselors and members of the business community. The website includes videos highlighting challenges and successes for worksite lactation programs. Visit [www.cobfc.org](http://www.cobfc.org) to learn more.

#### **Colorado Department of Public Health and Environment**

Downloadable resources and webinars on all aspects of breastfeeding support, including the Baby Friendly Hospital Collaborative and breastfeeding in the workplace. Visit [www.colorado.gov/pacific/cdphe/breastfeeding](http://www.colorado.gov/pacific/cdphe/breastfeeding) to learn more.

#### **Colorado Statutes Governing Breastfeeding Women**

Includes the full text of the statutes supporting breastfeeding mothers in the workplace and public venues, and in support of the American Academy of Pediatrics breastfeeding recommendations.

Visit [www.breastfeedinglaws.uslegal.com/state-laws/colorado-breast-feeding-laws](http://www.breastfeedinglaws.uslegal.com/state-laws/colorado-breast-feeding-laws) to learn more.

## Resources - Continued

### National

#### **The Business Case for Breastfeeding**

Free resources with bottom-line benefits for employers establishing comprehensive lactation support programs; easy steps for implementing; options for space, time, education, and support; reproducible templates that can be tailored to the business; and employee educational materials. Published by the U.S. Department of Health and Human Services Maternal and Child Health Bureau.

Visit [www.womenshealth.gov/breastfeeding/government-in-action/business-case-for-breastfeeding](http://www.womenshealth.gov/breastfeeding/government-in-action/business-case-for-breastfeeding) to learn more.

#### **United States Breastfeeding Committee**

Links to numerous national resources and a listing of state breastfeeding coalitions.

Visit [www.usbreastfeeding.org](http://www.usbreastfeeding.org) to learn more.

#### **International Lactation Consultant Association**

Worksite Lactation Support Directory lists lactation consultants available to assist businesses with an employee lactation support program. Visit [www.ilca.org](http://www.ilca.org) to learn more.

#### **United States Surgeon General**

Surgeon General's Call to Action to Support Breastfeeding and National Prevention Strategy.

Visit [www.cdc.gov/breastfeeding/resources/calltoaction.htm](http://www.cdc.gov/breastfeeding/resources/calltoaction.htm) to learn more.

#### **Parenting in the Workplace Institute**

The Parenting in the Workplace Institute researches and provides resources for the implementation of formal programs in which parents can bring their children to work and care for them while doing their jobs.

Visit [www.babiesatwork.org](http://www.babiesatwork.org) to learn more.







## **Workplace Guidelines for Breastfeeding**

For more information about workplace guidelines for breastfeeding, contact the Wellness team at [wellness@denvergov.org](mailto:wellness@denvergov.org) or 720-913-5690

