

BOARD OF COUNTY COMMISSIONERS SARPY COUNTY, NEBRASKA

RESOLUTION ADOPTING A POLICY REGARDING NURSING MOTHERS

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104 (Reissue 2007), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103 (Reissue 2007), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, Sarpy County has adopted certain policies and procedures regarding the performance of County business and of employees of the County, and

NOW, THEREFORE, BE IT RESOLVED by the Sarpy County Board of Commissioners that the Nursing Mother Policy, a copy of which is attached hereto, is hereby adopted to the Sarpy County Policy and Procedure Manual, and future practices of the County shall be in conformity with the same.

BE IT FURTHER RESOLVED that all previous Resolutions or parts of Resolutions of the Sarpy County Board of Commissioners on said subjects or in conflict with the provisions of this Resolution are hereby repealed.

Dated this 28th day of September, 2010.

Moved by Rich Jansen seconded by Rusty Hike, that the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

Robert H. H.
Rich Jansen
Donald Blumenthal
Tom Kichau

none

none

ABSTAIN:

none



Debra Houghtaling
County Clerk

Approved as to form:

Michelle F.
County Attorney

Sarpy County Personnel Department

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September 28, 2010

TO: Sarpy County Board of Commissioners

FR: Linda Welles, Personnel

RE: Nursing Mother Policy

The 2010 Healthcare Reform Act amended the Fair Labor Standards Act (FLSA) by requiring that employers provide a reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child's birth each time the employee has need to express milk.

Under the Act, employers must now 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.

This amendment necessitates creating a policy to meet this legal requirement. This policy will also provide Sarpy County an opportunity to demonstrate our commitment in offering our employees a work environment that is family friendly.

Therefore, Personnel has created the attached, to be included in the Policies & Procedures Manual, which outlines the requirements and the procedures.

As always, please contact me if you have any questions.

Sincerely,

Linda K. Welles: Administrator
Personnel Department
402/593-4487
lwelles@sarpy.com

cc: Mark Wayne
Scott Bovick
Debra Houghtaling



POLICIES & PROCEDURES MANUAL



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| TOPIC: <i>Nursing Mother</i> | APPROVED: <i>September 28, 2010</i> REVISED: |
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I. POLICY

Sarpy County recognizes that working mothers are a vital part of its workforce, and therefore supports nursing mothers by establishing a policy to accommodate mothers who wish to express and collect their milk for one year after the child's birth during work hours.

To comply with the Fair Labor Standards Act amendment, it is the goal of Sarpy County to identify proper private space and needs within each building occupied by County employees for the purpose of allowing mothers to express breast milk. These areas should include, at a minimum:

- ◆ 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. In the absence of a room that can be set aside, a private office that meets the above requirements that can be scheduled for 15-20 minute sessions three times per day, may be used; and
- ◆ An electrical 110v outlet; and
- ◆ Access to a nearby clean and safe water source and a sink for washing hands and rinsing out any breast-pump equipment; and
- ◆ Access to hygienic / refrigerated storage alternatives for the mother to store her breast milk.

Mothers who are nursing may use their two paid fifteen-minute breaks for expressing breast milk. These employees will not be penalized when the expressing procedure extends slightly beyond their two 15-minute breaks daily. Appropriate break times will be allotted for new mothers that choose to nurse.

I. PROCEDURE

Employees who are nursing mothers and have returned to the workplace should notify their supervisor that they intend to nurse their infant and would like to express their milk during work hours.

The supervisor should contact the Personnel Department for assistance in identifying an appropriate area that will meet the purpose of accommodating nursing mothers.