

**DISTRICT OF COLUMBIA  
FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT**

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**BULLETIN NO. 32**

**July 2015**

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**BREASTFEEDING MOTHER'S POLICY**

**I. POLICY**

- A. Consistent with the District of Columbia "Child's Right to Nurse Human Rights Amendment Act of 2007," the D.C. Fire and Emergency Medical Services Department (Department) recognizes that breastfeeding a child "constitutes a basic act of nurturing to which every mother and child has a right and which should be encouraged in the interests of maternal and child health." D.C. Code § 2-1402.81 *et seq.*
1. Breastfeeding provides physiological and emotional benefits to both the mother and child and is valuable in the child's development.
  2. Breastfeeding is recommended by the Department of Health and Human Services, the American Academy of Pediatrics, the American Academy of Family Physicians, and the American College of Obstetricians and Gynecologists.
- B. It is the policy of the Department to provide reasonable break time during work hours for a member to express breast milk for her nursing child for one (1) year after the child's birth.
- C. This policy supersedes and replaces Bulletin 29, Section 11.

**II. DEFINITIONS**

When used in this directive, the following terms shall have the meanings designated:

- A. **Member:** Single role, dual role, and civilian female employees.
- B. **Reasonable:** Not imposing an undue hardship on the operations of the Department, but working with each member on a case-by-case basis.
- C. **Undue Hardship:** Any action that requires significant difficulty or expense when considered in relation to factors such as the size of the Department, its financial resources, and the nature and structure of its operation.

- D. **Emergency:** Any emergency (911) call, dispatch from the Office of Unified Communications, assistance requested by any person from any employee for medical or fire assistance regardless if the request is made in-person or by phone.

### III. REGULATIONS

- A. The Department shall provide breastfeeding members reasonable break-time to express breast milk. However, the Department shall not be required to provide break periods if it would create an undue hardship on the operations of the Department.
- B. If the Department is unable to accommodate a breastfeeding member assigned to the Operations Division, the member may be temporarily reassigned or detailed to an assignment — including, but not limited to, an administrative assignment or more accommodating operational assignment — that does not impact the Department's operational capacity. [For the duration of the temporary reassignment or detail to the location with a lactation room or other accommodation, the member shall not be detailed from that location, including ambulance rotations.]
- C. Breastfeeding members may take reasonable daily breaks to use lactation rooms. Members may take paid or unpaid breaks to use lactation rooms. If any paid or unpaid break period is already provided to a breastfeeding member, the break period required for breastfeeding shall run concurrently with the break period(s) already provided. However, **nothing in this policy prevents an employee from requesting additional unpaid time to lactate.**
- D. Provisions D-E apply to the use of paid breaks for lactation: Breastfeeding members may use lactation rooms during allotted paid breaks in their tours of duty — such as lunch breaks — without the submission of a leave request.
1. Paid break times shall be no more than 30 minutes every 3 hours.
  2. Paid break times shall be scheduled, in consultation with the member, by the on-duty Platoon Commander or, if unavailable, the on-duty Battalion Fire Chief. ***Operational units shall not be taken out of service for lactation.***
  3. Paid break times shall begin at the time the member enters the designated lactation space.
- E. Once a member's breastfeeding break time has been approved, the break shall not be interrupted **except for emergency or exigent circumstances.** If a member's 30 minute paid breastfeeding break time is interrupted, the member may continue her break time when she returns to her work location or designated lactation area. However, the total time for a single paid break shall not exceed 30 minutes without prior approval.
- F. An employee assigned to the Operations Division may use a lactation room during any unscheduled down time as long as the member's officer is notified and approves.

Members assigned to any other division who wish to use a lactation room outside of an allotted break time shall be required to submit a leave request (SF-1) for available leave (i.e., annual, sick, compensatory, etc.) or request leave without pay.

- G. Employees shall not *knowingly* enter a lactation room while it is in use or interfere with a member's use of a lactation room.

#### IV. LACTATION ROOM DESIGNATION

- A. Upon request, the Department will designate a lactation room for the breastfeeding mother. The Department shall make reasonable efforts to provide a private / sanitary room — or other suitable location (**other than a bathroom or lavatory stall**) — in close proximity to the member's work area where a member can express breast milk privately and securely. Lactation rooms are available for use twenty-four (24) hours a day, seven (7) days a week, including holidays.
- B. **Restrooms shall not be designated as appropriate spaces for lactation purposes.**
- C. Supervisors shall ensure that lactation rooms are maintained in a clean and sanitary condition. If two or more members are using a lactation room at any location, the officer or supervisor shall create a posted schedule so that each member is designated a period of time to use the lactation room.
- D. **Supervisors shall also ensure that signs are posted on the lactation rooms that inform other employees to not enter the room while a member is lactating. The sign shall be posted on the door anytime the room is in use.**

#### V. STORAGE OF EXPRESSED BREAST MILK

- A. The Department shall not be responsible for securing a member's breastfeeding equipment, breastfeeding supplies and/or expressed breast milk — this is the breastfeeding member's sole responsibility.
- B. The Department will make reasonable efforts to provide breastfeeding members with a mini-refrigerator.
1. Members who store expressed breast milk in any refrigerated area within any Department facility shall clearly label the container with their name, and the date the milk was expressed.
  2. Members shall remove all breast milk placed in refrigerators at the end of each tour of duty.
  3. No employee shall handle, move or dispose of another member's breast milk without authorization from the on-duty Platoon Commander or, if unavailable, the on-duty Battalion Fire Chief. The authorization shall be noted in the Company Journal.

- C. The Department reserves the right to inspect any lactation room and/or storage area, including locked or unlocked refrigerators.

## **VI. LACTATING MEMBER'S RESPONSIBILITIES**

- A. Members shall submit a Special Report directly to the Department's EEO & Diversity Manager to request that a room be designated for lactation. The request shall be made 30 days before the first day the member wishes to use a lactation room, and shall include a Lactation Time Request Form (F&EMSD Form 44.2) and medical certification from the member's primary doctor verifying the member is breastfeeding, the amount of time the member needs to breastfeed, and for how long the member will be breastfeeding. The Department understands there may be circumstances where an employee cannot meet the 30 day requirement. The 30 day requirement is whenever possible, and in no event shall a lactating member be refused access to a lactation space. However, members are required to make a request in advance so that the Department is aware of the member's needs and circumstances. If the necessary medical certification or information is contained in an employee's FMLA medical file, the employee will not be required to resubmit the documentation or information.
- B. Members shall be responsible for purchasing or renting suitable equipment to express and contain their breast milk and shall be responsible for securing all personal breastfeeding equipment and supplies appropriately.
- C. Members shall ensure lactation rooms are left in a clean and orderly manner after each use, to include wiping spills and removing any trash/debris.

## **VII. SUPERVISOR RESPONSIBILITIES**

Supervisors shall direct the affected member to review this policy once she notifies her command of her pregnancy.

## **VIII. COMPANY OFFICER RESPONSIBILITIES**

Company Officers shall ensure that employees comply with the terms of this Bulletin, bearing in mind that non-compliant employees may be subject to discipline. Company Officers shall also routinely inspect lactation rooms and refrigerators.

## **IX. RETALIATION AND HARASSMENT**

A member who wishes to exercise her rights under this policy shall not be harassed or subjected to retaliation. Retaliation and harassment due to breastfeeding is prohibited. Employees who are found to have violated this provision may be subjected to disciplinary action. If a member believes she has

been retaliated or harassed because she exercised her right to use a lactation space, the member shall submit a Special Report to the EEO & Diversity Manager within a reasonable timeframe.

**X. DIRECTOR, HUMAN RESOURCES DIVISION, RESPONSIBILITIES**

The Director, Human Resources Division, shall ensure this policy is provided to all new employees.

**XI. CROSS REFERENCES**

D.C. Human Rights Act of 1977 as amended by the "Child's Right to Nurse Human Rights Amendment Act of 2007" March 14, 2007. D.C. Code § 2-1402.81 *et seq.*



# LACTATION TIME REQUEST FORM

Directions: Complete and submit (email) the request to the EEO & Diversity Manager prior to your return from maternity leave

Employee Information	
Employee Name	
Employee ID Number	
Location/Assignment	
Position Title	
Current Work Hours	

Lactation Information	
Return Date From Maternity Leave	
Start Date for Lactation Breaks	
Daily Lactation Break Times (Non-Operational)	
End Date for Lactation Breaks (Approximate)	
Comments	

**Doctor's Note and Special Report Must be Attached.**

\_\_\_\_\_  
Employee Name and Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor's Name and Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
EEO & Diversity Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
APPROVED    \_\_\_\_\_  
DENIED