

Policy Change Cover Sheet

This form must be completed for each policy presented. All areas in red including the header must be filled in or it will be sent back to you for completion.

*If the revisions you are requesting include housekeeping changes, please submit the housekeeping changes first. The SCC Secretary will notify you once the housekeeping changes have been made and you can submit the Policy Change Cover Sheet at that time. Please submit housekeeping changes to ndsuscc@ndsuscc.edu.

Refer to the [NDSU Senate Coordinating Council process](#) for more information about housekeeping changes.

Policy Number and Name: 134.2: Lactation

Is this a federal or state mandate: Yes No

This policy impacts (check all that apply): Students Staff Faculty Other (please describe):

Several federal laws, including the Fair Labor Standards Act (FLSA) and the PUMP Act, require employers to provide reasonable break time for an employee to express breast milk for their nursing child for one year after the child's birth. Although the laws are designed to protect employee rights, lactation rooms are available to anyone on campus.

*The President's Council for Campus Well-being is committed to integrating a "Health in All Policies" approach when current policies are revised and new policies are developed. Why a "Health in All Policies" approach? Policies have health effects—positive or negative--on the communities and the people who live and work within the community where the policy is implemented. In fact, the World Health Organization estimates that the social, financial, and environmental factors of a community influence up to 55% of a person's well-being. Health in All Policies (HiAP) is an approach that integrates health into decisions and policy-making. For more information, see [HiAP at NDSU 2023 Report](#).

Individual/Department/Committee or Organization submitting the policy change:

Heather Higgins-Dochtermann, Director, Equal Opportunity and Title IX Compliance

Date Submitted to SCC Secretary:

November 4, 2024

Email address of the person who should be contacted if revisions are requested:

heather.higginsdocht@ndsuscc.edu

NDSU's Strategic Plan Inclusivity and Diversity Goal: Create and maintain an open and collegial environment to promote inclusivity and diversity as a cornerstone of education, research, and outreach.

Sub-Goal: Design and implement additional programming, curriculum, outreach opportunities, and **policies** that uphold inclusivity, diversity, respect, and connection. **Please address each item in the checklist below:**

Checklist items	Yes	No	N/A	Comments
The <i>social</i> impact on students, staff, faculty, others was considered (e.g. encourages a positive sense of community through an ethic of care, compassion, collaboration and/or belonging).	X			
The <i>financial</i> impact on students, staff, faculty, others was considered.	X			
The <i>physical health</i> impact on students, staff, faculty, others was considered (e.g. facilitates healthy lifestyle choices, meeting of basic human needs, and/or a safe physical environment).	X			
The <i>mental health</i> impact on students, staff, faculty, others was considered (e.g. supports skills and habits to manage stress, strengthen resilience, reduce substance abuse, and promote help seeking).	X			
Inclusive language is used (i.e. gender pronouns are not used or are inclusive, race/ethnicity, religion, etc.).	X			
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy	X			Requested input from Facilities Director. Please also note: although not included in the policy language, all new construction projects with lactation rooms will be private without a toilet. Adding lactation rooms with new construction is easier than adding a sink/plumbing/etc. to an existing space in buildings.
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.	X			Requested input from Facilities Director. Please also note: although not included in the policy language, all new construction projects with lactation rooms will be private without a toilet. Adding lactation rooms with new construction is easier than adding a sink/plumbing/etc. to an existing space in buildings. Also requested input from the Association of Title IX Administrators (ATIXA), the paramount Title IX association.

This policy contributes to creating an environment that is safe and conducive to living, learning, working, and recreating.	X			
The policy addresses evaluation, including a person/office/entity responsible for tracking outcomes that ensure changes are positive.			X	
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	X			

Effect of policy addition or change: Utilize the completed checklist to provide an explanation of the important changes in the policy or effect of this policy. Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s):

Section 1.2: Added language that clarifies designated restrooms may not be designated lactation rooms, however lactation rooms may have toilets (if space is not/has not been designated as a restroom).

Last paragraph: Updated office name, added Policy 156 link, and added updated resources link.

The SCC Secretary will keep record of all actions taken on this policy change request on the SCC policy tracking spreadsheet. You will be notified once the policy has been approved and updated or if further revisions are requested.

North Dakota State University

Policy Manual

SECTION 134.2 LACTATION POLICY

SOURCE: NDSU President

As part of our family-friendly policies and benefits, NDSU supports breastfeeding employees by accommodating the employee who wishes to breastfeed or express breast milk during the workday. NDSU recognizes that supportive breastfeeding policies and practices in the workplace not only benefit the employee but also benefit the child and the employer. Employer benefits include greater workplace productivity, increased organizational loyalty, and increased job satisfaction. Breastfeeding employees experience higher productivity, fewer distractions, lower absenteeism to care for an ill child, and a lower risk of developing breast and ovarian cancer or diabetes. Babies experience immediate and long-term benefits from breastfeeding including better immune system development and tend to have fewer and less severe short-term illnesses and chronic illnesses.

Any employee who wishes to breastfeed or express breast milk in the workplace shall notify the supervisor and discuss any relevant workload or scheduling issues.

Supervisors shall work with their employees and within policy requirements to accommodate an employee who wishes to breastfeed or express breast milk.

1. NDSU shall provide:
 - 1.1 Flexible work scheduling, including scheduling breaks and permitting work patterns that provide time for breastfeeding or expressing breast milk for at least one year after child's birth;
 - 1.1.1.1 After one year of child's birth, continued breaks and work patterns to accommodate breastfeeding or expressing breast milk shall be reviewed and agreed upon with employee's supervisor;
 - 1.2 A convenient, sanitary, safe, and private location, other than a restroom, allowing privacy for breastfeeding or expressing breast milk. Although stand-alone restrooms may not serve as lactation rooms, rooms that are convenient, sanitary, safe, and private that also contain toilets (rooms that are not/were not designated restrooms) may be acceptable. If a designated lactation room is not available within reasonable proximity to the employee's workspace, the supervisor will work with the employee to identify and, if needed, modify, an existing ~~non-restroom~~ space to temporarily serve that purpose;
 - 1.3 A convenient, clean, and safe water source with facilities for washing hands and rinsing breast-pumping equipment located in or near the private location.
2. NDSU shall not be required to compensate an employee receiving reasonable break time for any work spent breastfeeding or expressing breast milk.
 - 2.1 Travel time to a lactation room must be considered and may extend the reasonable break time. Supervisors may permit extensions for reasonable break time with options that may include alternate start/stop times to the workday, rearranging break periods, and flexible

scheduling. For non-exempt employees, supervisors will need to allow flexibility for employees to be able to earn all paid hours.

Employees experiencing workplace issues related to breastfeeding, ~~and~~ lactation ~~rooms,space~~ and breaks may file a complaint with the [Equal Opportunity and Title IX Compliance Equity Office](#), per [Policy 156: Discrimination, Harassment, and Retaliation Complaint Procedures](#) ~~Policy 156: Discrimination, Harassment, and Retaliation Complaint Procedures~~. NDSU has the following lactation rooms and support resources available for nursing mothers: https://www.ndsu.edu/equity/pregnancy_lactation/
https://www.ndsu.edu/equity/resources/pregnancy_lactation/

HISTORY:

New	April 23, 2018
Housekeeping	July 25, 2018