Workplace Breastfeeding Policy

POLICY STATEMENT
The City of Hamilton (“the City”) is committed to promoting and supporting breastfeeding and the expression of breastmilk in the workplace by mothers upon their return to work.

PURPOSE
This Policy establishes expectations for employees and managers that allow mothers to breastfeed or express or pump breastmilk during the workday.

SCOPE
This Policy applies to all City employees who are breastfeeding and/or providing breastmilk to their infants or children. Employees include but are not limited to regular, temporary and contract employees, volunteers, students and interns (collectively called “employees”).

DEFINITIONS
Breastfeeding
Refers to pumping or expressing milk, as well as feeding a child directly from the breast.

PRINCIPLES
The importance of breastfeeding to the health and well-being of moms, babies, families and communities is well supported in the research. The World Health Organization (WHO), Health Canada, and the Canadian Pediatric Society have recommended that infants be exclusively breastfed for six months with continued breastfeeding for up to two years of age and beyond. Longer breastfeeding durations are positively associated with improved health for infants and children. Additionally, employers benefit from supporting families to continue to breastfeed/provide breastmilk upon women returning to work. These benefits include decreasing employee turnover, absenteeism rate, and health care costs; and increasing employee morale and loyalty, productivity; and the overall health of babies and the community.

The City recognizes that breastmilk is the recommended and normal food for healthy growth and development of infants and young children.

The Ontario Human Rights Commission has established that women should not be disadvantaged in services, accommodation or employment because they are breastfeeding their children. Employers should make every reasonable effort to provide a
breastfeeding mother with workplace concessions that allow her to breastfeed or to express or pump breastmilk for her baby during her workday.

The accommodation of an employee who requires to continue breastfeeding upon their return to work must respect the dignity of the employee, be appropriate to the workplace setting, and be provided in accordance with the Ontario Human Rights Code. The accommodation must also ensure that no age limits are placed regarding the breastfeeding child.

Both the employee and the employer share the responsibility for determining the most appropriate form of accommodation that a given set of circumstances may require. The City will accommodate the employee’s request, in accordance with the Ontario Human Rights Code, while continuing to meet operational requirements and ensuring the safety of the mother and child.

### RESPONSIBILITIES

#### Employees

- Make a formal, written request to her manager outlining her needs as soon as possible but no later than 4 weeks prior to her return to the workplace
- Supply and maintain own breastfeeding equipment (ie: breast pump, containers for storing breast milk, and means of keeping breast milk cold if refrigeration is not available at the workplace – insulated bag or cooler with ice pack is a safe alternative)
- Report any incidents of harassment or discrimination in accordance with the City Harassment and Discrimination Prevention Policy

#### Manager

Prior to the employee going on maternity leave the manager will:

- Review this Policy with the employee.
- Review flexible work arrangements, collective agreements, and other relevant policies and procedures as appropriate.
- Acknowledge receipt of all formal requests for breastfeeding accommodation in a timely manner
- Examine the workplace and the employee’s work schedule (in collaboration with the employee and/or the Breastfeeding Resource Team, Public Health Services) and make reasonable efforts to accommodate the request by making the necessary arrangements while
Public Health Services

The Breastfeeding Resource Team, Family Health Division, Public Health Services (available by calling Health Connections at 905-546-3550) may:

Assist employees by:
- Discussing the decision to breastfeed and how to continue breastfeeding upon return to work.
- Reviewing available resources and supports to achieve successful breastfeeding.
- Addressing any questions or concerns that arise regarding breastfeeding, pumping and storage of breastmilk.

Assist Employer/Managers:
- In implementing this Policy with their employees.

When an employee returns to work and requests breastfeeding support
- Determine the most appropriate form of accommodation, according to the principles of this policy, which may include:
  - Flexible time schedule to accommodate breastfeeding/pumping (see Flexible Work Arrangements Policy).
  - Temporarily relocating an employee to another work location/office or reassigning to alternative duties.
  - Facilitating access of the baby to the workplace by a caregiver; making scheduling changes to permit time to express milk or breastfeed at work.

- Make a reasonable effort to secure a designated private space appropriate for breastfeeding or expressing breast milk for employees who request it. The designated space may be multi-purpose, provided that alternative space is readily available if that space is in use. Washroom facilities are not appropriate for women to breastfeed or to express their breastmilk.

maintaining operational requirements and ensuring the safety of the mother and child
- Provide this Policy to all employees about the benefits of breastfeeding and create a workplace environment that supports breastfeeding.
**COMPLIANCE**

Non-compliance with this Policy may result in the appropriate disciplinary measures up to and including dismissal from employment.

**RELATED DOCUMENTS**

The following documents are referenced or consulted in this policy:

2. Harassment and Discrimination Prevention Policy
3. Flexible Work Arrangements Policy

**HISTORY**

This policy replaces the Baby Friendly Workplace Policy approved by the Management Team 1997-04-20

This policy was drafted by Public Health Services and supported by Senior Management Team on 2011-09-29.

The following stakeholders were consulted in the creation of this Policy:

- Corporate Policy Review Group
- Human Resources

The policy was approved by SMT on 2012-11-08.