

**PRAIRIE VIEW A&M UNIVERSITY
UNIVERSITY ADMINISTRATIVE PROCEDURE**



31.99.99.P0.01 Nursing Mothers in the Workplace

Approved March 13, 2011

Revised June 4, 2013

Revised January 19, 2016

Next Scheduled Review: January 2021

UAP Purpose

The purpose of this University Administrative Procedure (UAP) is to ensure compliance in providing nursing mothers with the rights as indicated in the [Patient Protection and Affordable Care Act \(PPACA\)](#).

Official Procedures and Responsibilities

1. GENERAL

- 1.1 The [PPACA](#) amended the [Fair Labor Standards Act](#) (FLSA, 29 U.S.C. 207) to require employers to provide a nursing mother reasonable break time to express breast milk after the birth of her child. The amendment also requires that employers provide a place for an employee to express breast milk. For more information, please refer to the [U.S. Department of Labor – Wage and Hour Division – Break Time for Nursing Mothers](#).

2. APPLICABILITY

- 2.1 This UAP applies to all nursing mothers who are employees of the University. Space will be made available to all nursing mothers regardless of the [FLSA](#) classification. (See [Fact Sheet #73 - Break Time for Nursing Mothers under the FLSA](#)).

3. PROCEDURES

3.1 Affected Employees and Responsibilities

3.1.1 The Office of Human Resources will advise all departments on matters regarding compensatory and other statutory requirements.

3.1.2 The Office of Campus Planning, Space Management & Camps will identify the locations required and coordinate with the contracted facilities services provider on making any required renovations to the locations and providing signage to ensure compliance.

3.1.2.1 Current locations of the rooms are identified in the chart below.

Current Locations of Rooms Available for Nursing Mothers	
1. Main Campus FM 1098 Rd & University Dr. Prairie View, TX 77446	Owens-Franklin Health Center – Room 215
2. College of Nursing 6436 Fannin Street Houston, Texas 77030	PVAMU Nursing Facility – Room 963
3. Northwest Houston Center 9449 Grant Road Houston, Texas 77070	NWHC - Room 122H

3.2 Compensatory Requirements

3.2.1 The employee must be allowed reasonable break time, as needed, to express breast milk for her nursing child for one year after the child's birth.

3.2.2 The University is not responsible for compensating the employee for this time. However, flexibility in scheduling will be allowed to make up for the unpaid break time.

3.3 Space Requirements

3.3.1 The location must be a place, other than a bathroom, that is shielded from view and free from intrusion by co-workers and the public, which may be used by an employee to express breast milk.

3.3.2 The location must have a place for the mother to sit and a flat surface, other than the floor.

3.3.3 Preferred amenities are:

3.3.3.1 An electrical outlet;

3.3.3.2 A sink within or nearby; and,

3.3.3.3 A refrigerator within or nearby.

3.4 Notification Requirements

3.4.1 Expectant mothers who plan to be expressing breast milk upon their return to work must notify their department head in advance of their return so that suitable arrangements for the space and accessibility can be made.

Related Statutes, Policies, Regulations and Rules

[Patient Protection and Affordable Care Act](#)

[Fair Labor Standards Act](#)

[U.S. Department of Labor – Wage and Hour Division, Section 7r – Break Time for Nursing Mothers](#)
[Fact Sheet #73 - Break Time for Nursing Mothers under the FLSA](#)

Contact Office

Office of Human Resources 936-261-1730
