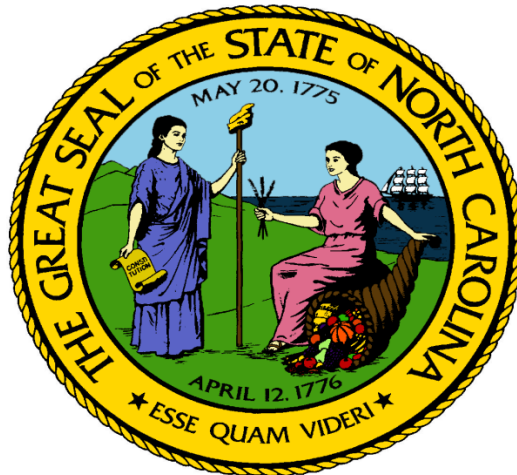


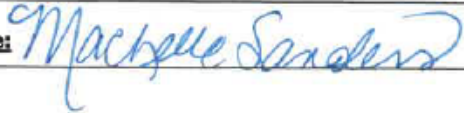
NORTH CAROLINA DEPARTMENT OF ADMINISTRATION

POLICIES AND PROCEDURES

HUMAN RESOURCE MANAGEMENT



STATE OF NORTH CAROLINA	SUBJECT:	
DEPARTMENT OF ADMINISTRATION	Accommodations for Pregnancy, Childbirth and Lactation	
INTERNAL POLICY		NO. GA - 005

Approved by the Secretary of Department of Administration:	Machelle Sanders
Approval Date: 5/21/19	
Effective Date: June 1, 2019	Signature: 
Revision Date: 5/2/2019	

Introduction:

Consistent with sound business practices, it is reasonable and vital that accommodations be provided to employees who needs to nurse a new born child while in the workplace. Providing accommodations is part of the Department’s effort to establish and promote a work environment that not only emphasizes productivity but values the work-life balance of all employees. Accommodating mothers is good for the health of her child and permits the employee the opportunity to continue to perform job duties while pregnant, breastfeeding or affected by other related medical conditions due to pregnancy.

Research has shown that providing accommodations allows employees to experience work-life balance and has proven to be an effective recruitment and retention strategy. Other benefits include decreased health care costs, reduced absenteeism; improved morale; providing a motivating employee-supportive work environment for all.

This policy is in accordance with the *State Human Resources Lactation Support Policy* and the *Patient Protection and Affordable Care Act, enacted March 23, 2010. (P.L. 111-148)*

The policy is in compliance with Executive Order 82, *Promoting Health and Wellness by Clarifying Protections Afforded to Pregnant State Employee* issued by Governor Roy Cooper on December 6, 2018.

Purpose:

The policy promotes health and wellness and extends workplace protections and modifications for pregnant State employees upon request.

Policy Statement: The Department of Administration will provide workplace adjustments that allows an employee to continue performing job duties while pregnant, breastfeeding or affected by other related medical conditions.

Eligibility:

The [State Human Resources Lactation Support Policy, \(Workplace Environment, Health, and Work-life Balance\) Section 8, Page 46](#)) applies to employees who are pregnant, breastfeeding or affected by other related medical condition. Covered employee is defined as a permanent full-time, part-time, temporary, probationary and time-limited.

Types of Workplace Adjustments:

Employees and managers shall engage in good faith and in a timely and interactive process to determine the workplace adjustments. Employers may make temporary workplace adjustments, including but not limited to the following:

- Changes in workstation and seating equipment;
- Lighting and noise levels;
- More frequent or longer breaks;
- Adjustment of uniform or dress codes;
- Assistance with manual labor, such as heavy lifting;
- Modified work assignments;
- Access to food and drink and permitting meals and beverages at work stations;
- Access to appropriate, non-bathroom lactation accommodations for rest or to express breast milk.
- Closer parking/and or access to mobile assistance devices.

Agency Responsibilities:

The Department of Administration may require an employee to provide certification from a health care provider indicating that a workplace adjustment is advisable. The certification must include:

- The date the accommodation became or will become medically advisable
- An explanation of the medical condition and need for a workplace adjustment; and
- The probable length of time the accommodation should be provided.

The Division Management will make every effort to comply and shall provide the workplace adjustment unless it results in significant difficulty or expense; and may not take adverse action against an employee for requesting or not accepting the adjustment.

Space Accommodations:

The Department of Administration will provide a private lactation room for rest and or to express milk. The room will lock from the inside, include adequate lighting and seating, and electrical outlets for pumping equipment.

Employee Responsibilities:

Storage: The employee will be responsible for storage of the expressed breast milk in the Department provided refrigerator. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, accidental refrigeration malfunction and tampering.

Time: The department may require the employee to use the regularly scheduled paid break time to express breast milk. If more frequent and/or longer breaks periodic rest is needed beyond the regularly scheduled paid break times, managers shall make reasonable efforts to allow employees to use paid leave or unpaid time for this purpose.