

The Patient Protection and Affordable Care Act (P.L. 111-148, known as the “Affordable Care Act”) amended section 7 of the Fair Labor Standards Act (“FLSA”) to require employers to provide “reasonable break time for an employee to express breast milk for her nursing child for one year after the child’s birth each time such employee has need to express the milk.” Employers are also required to provide “a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.” See 29 U.S.C. 207(r). While this law only applies to non-exempt hourly employees, the School policy applies to all employees. However, exempt employees are required to ensure that such breaks do not disrupt their classroom duties.

Brevard Academy supports breastfeeding employees by accommodating an employee who needs to express breast milk during the workday. For up to one year after the child's birth, any employee who is breastfeeding will be provided reasonable break times to express breast milk. Brevard Academy has designated the room located in the PTO Room for this purpose.

Employees must reserve the room by contacting the school nurse. Employees who work off site or in other locations will be accommodated with a private area as necessary.

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, refrigeration, and tampering.

Breaks of more than 20 minutes in length will be unpaid unless the School provides compensation for break times not involving lactation. All such breaks must be recorded on timesheets where appropriate.