



Policy Name:	Mercy University Lactation Policy		
Associated Forms:	N/A	Policy Number:	2024-8
Reviewed:	Non-Academic Policy Committee	Approved:	April 29, 2024
Approval Authority:	President <i>Susan Parish</i>	Adopted:	May 10, 2024
Responsible Executive:	1. Vice President for Student Affairs 2. Executive Director of Human Resources	Revised:	March 16, 2022
Responsible Office:	1. Office of ACCESSibility 2. Office of Human Resources	Contact:	1. Director of ACCESSibility 2. Director of Human Resources 3. Director of Title IX Coordinator/Equity Compliance

I. Policy Statement

In recognition of the importance and benefits of breastfeeding, and in compliance with state and federal law, Mercy University supports the rights of nursing parents at school and in the workplace. Mercy University is dedicated to making its best effort to accommodate requests from nursing parents for break time and a private space to express breast milk on campus. In addition, Mercy University is also required under Title IX of the Education Amendments of 1972 to accommodate parenting students in all aspects of their educational experience.

A. Paid Time to Express Breast Milk

Under the Patient Protection and Affordable Care Act, as well as New York State Labor Law, Mercy University is required to provide certain protections and benefits to employees who are nursing parents, which include providing employees with thirty (30) minutes of paid time to express breast milk, as well as the use of other reasonable break time to express milk for up to three years after they give birth. In addition to the thirty (30) minutes, an employee may utilize paid break or meal periods, or take unpaid break periods, with the option of making up the time by extending the workday.

B. Lactation Room Requirements

Mercy University must also provide an employee as well as students, upon request, a room or other location, in reasonable proximity to the work area, where the employee can express milk in privacy. The room or other location must be in a place that is:

1. In close proximity to the work area;
2. Well lit;
3. Shielded from view;
4. Free from intrusion from other persons in the workplace or the public; and
5. Not a restroom or toilet stall.

This room or location must provide, at minimum:

1. A chair;
2. A working surface;
3. Nearby access to clean running water; and
4. An electrical outlet (if the workplace is supplied with electricity).

Where refrigerators are located on campus, employees shall be permitted to store their expressed breastmilk there.

Lactation Rooms are available at the Bronx, Dobbs Ferry, Manhattan, and Tarrytown locations. Employees should check with the Department of Facilities and Operations to determine the location of the nearest lactation room or to determine a suitable space closer to the employee's

main work area if available. If a key code is needed to access the lactation room, the employee should contact Facilities and Operations or the Director of Title IX for details. Students who may need alternative space can contact the Office of ACCESSibility.

II. Supervisor Responsibilities

Supervisors should grant reasonable requests for paid and unpaid break time for lactation. Time in addition to the thirty (30) paid minutes may be used to express milk may be made up at the beginning or end of the day. The employee should tell their supervisor the approximate times they will need for lactation breaks. Supervisors should be as flexible as possible in accommodating lactation breaks.

If a room other than a designated lactation room is to be used, supervisors should work with the employee and Facilities and Operations and Human Resources to identify an appropriate space that meets the requirements listed previously in this policy.

Supervisors should consult with the Office of Human Resources if any difficulties arise in complying with this Policy. Federal and state law explicitly prohibit discrimination or retaliation against an employee who chooses to express milk in the workplace.

III. Student Requests

Students needing access to a designated lactation room should consult with the Office of ACCESSibility to determine the nearest location(s) based on the student's schedule, as well as the access code if needed. If a student wishes to use a space other than a designated lactation room, they can work with the Office of ACCESSibility to determine a suitable space if such alternative space is available.

IV. Access and Scheduling

Employees and students needing access to a designated lactation room should meet with any of the following offices:

- ACCESSibility
- Title IX /Equity Compliance (for students) or
- Office of Human Resources or Title IX /Equity Compliance (for employees).

These offices will coordinate with one another to help ensure access is available and to help coordinate schedules if multiple people need access to the same room. Students should schedule time outside of class to use the lactation rooms. If this is not feasible or the student works at the University and needs time during work, they should consult with the Office of ACCESSibility or the Title IX Director for assistance. Employees may schedule usage times via 25Live in Mercy Connect.

The locations of the designated lactations room at each location are:

- The Bronx Campus: Room 2136 (does not require an access code)
- The Dobbs Ferry Campus: Room 125 Main Hall (access code available with ACCESSibility or Equity Compliance, and Campus Safety after hours and on weekends. These numbers shall be posted on the door.)
- The Manhattan Campus: Room 428 (does not require an access code)
- The Tarrytown Location: 3rd floor, Moller House, across from Room 828 (does not require an access code)

V. Contact Information and Required Notice

The following people and offices at Mercy University are available to help with any questions or concerns related to this policy:

- The Office of ACCESSibility: (914) 674-7764, accessibility@mercy.edu
- The Office of Human Resources: (914) 674-7839, hr@mercy.edu
- Director of Title IX/Equity Compliance: (914) 674-7679, titleix.equity@mercy.edu

Any student or employee who wishes to file a complaint under this policy should contact the Title IX Director for guidance or additional information.

Mercy is required by law to provide the written policy to each employee upon hire, annually thereafter, and to employees returning to work following the birth of a child. The Policy is required to: (a) inform employees of their rights pursuant to the state law; (b) specify the means by which a request may be submitted to the employer for a room or other location for use by employees to express breast milk; and (c) require the employer to respond to the request within a reasonable timeframe, but not to exceed five business days.