

| | | |
|--|---|---------------------------------|
| ADMINISTRATIVE DIVISION HR Division of Human Resources | | POLICY NUMBER HR 1.60 |
| POLICY TITLE Lactation Support Policy | | |
| SCOPE OF POLICY USC System | DATE OF REVISION August 20, 2024 | |
| RESPONSIBLE OFFICER Vice President for Human Resources | ADMINISTRATIVE OFFICE Division of Human Resources | |

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE FACULTY, STAFF, OR ADMINISTRATIVE EMPLOYEE AND THE UNIVERSITY OF SOUTH CAROLINA. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE UNIVERSITY OF SOUTH CAROLINA RESERVES THE RIGHT TO REVISE THE CONTENTS OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT. THE UNIVERSITY OF SOUTH CAROLINA DIVISION OF HUMAN RESOURCES HAS THE AUTHORITY TO INTERPRET THE UNIVERSITY’S HUMAN RESOURCES POLICIES.

PURPOSE

The Lactation Support policy communicates the responsibilities of the university and the mother as it relates to the needs of the breastfeeding mother.

DEFINITIONS

Nursing Mother’s Lounge or Lactation Room: A space temporarily converted or permanently created and designated as a space for expressing milk, or made available, when needed, for nursing. The location must be private, lockable, free from intrusion, sanitary, and equipped with a supportive chair, table and an accessible electrical outlet.

POLICY STATEMENT

The University of South Carolina recognizes the importance of supporting faculty, staff and students who choose to breastfeed. The following policy is in accordance with the workplace breastfeeding support provision in the [Patient Protection and Affordable Care Act \(Section 4207\)](#), which states that: “employers shall provide reasonable, unpaid break time and a private, non-bathroom place for an employee to express breast milk for her nursing child for one year after the child’s birth,” and current [South Carolina state law \(Section 63-5-40\)](#), which states that a woman may breastfeed her child in any place open to the public. The university, which promotes a family-friendly work and study environment, acknowledges the significant health benefits of breastfeeding for mothers and their infants. Therefore, the University of South Carolina acknowledges that 1) the university shall provide sanitary and private space to be used

as a lactation room by employees or students who are breastfeeding and/or expressing milk, and 2) supervisors, chairs and managers are required to work with employees and students who are breastfeeding to schedule reasonable and adjustable break times each day for this activity.

A. Accommodations

Colleges and departments must make a reasonable effort to find and provide space for a lactation room. This room can be used for breastfeeding and/or the expression of milk.

B. Flexible Break Times

1. Breastfeeding mothers must request and arrange with their supervisor appropriate and reasonable break times for breastfeeding or expressing breast milk for up to one (1) year after the child's birth. Supervisors must provide reasonable break time to accommodate their needs.
2. Employees must be allowed to take reasonable breaks during the workday to express milk.
3. Employees may request adjustments to their work schedules for the purposes of lactation.
4. Supervisors and employees shall work together to establish mutually convenient times for milk expression. Employees should discuss the frequency and duration of the breaks with their supervisors.
5. Supervisors shall respond to lactation accommodation requests promptly and ensure that there are no negative consequences to nursing mothers who need lactation break times.
6. Employees should contact the next level of supervisor or the [Division of Human Resources](#) if their immediate supervisors do not allow reasonable breaks or if their unit does not make arrangements for appropriate and/or adequate space for lactation breaks.

PROCEDURES

- A. The breastfeeding mother is responsible for contacting her supervisor to request space and time to express milk.
- B. Supervisors who receive a lactation accommodation request are to review available space in their department/unit and make efforts to provide appropriate nearby space and break time.
- C. On the Columbia campus, departments that establish lactation rooms should notify Student Health and Well-Being which helps direct mothers to the most appropriate lactation room.

A list of current mothers' lounges is located at Student Health and Well-Being Family Support Departments on the Columbia campus are encouraged to contact [Student Health Services](#) to add lactation rooms to this list as such rooms are identified.

- D. On the Columbia campus, mothers may obtain keys to the lactation rooms through Student

Health Services or through the appropriate building representative. [Student Health Services](#) offers additional resources on its website regarding breastfeeding and other resources for new and expecting parents.

- E. Other campuses are encouraged to provide an easily accessible means of identifying and accessing facilities suitable for use as lactation rooms.
- F. After using the lactation room, mothers who are expressing milk shall be responsible for keeping the room clean.
- G. Employees with concerns or questions regarding the USC Breastfeeding and Lactation Support Program Policy should contact the [Division of Human Resources](#) or [Student Health Services](#).

RELATED UNIVERSITY, STATE AND FEDERAL POLICIES
[Patient Protection and Affordable Care Act, Section 4207](#)
[Fair Labor Standards Act \(FLSA\)](#)
[SC Code of Laws Section 1-13-80](#)
[South Carolina Pregnancy Accommodations Act](#)

HISTORY OF REVISIONS

| DATE OF REVISION | REASON FOR REVISION |
|-------------------------|--|
| October 31, 2011 | New policy approval |
| January 11, 2012 | Revised to add language clarifying Columbia campus procedure from that of other campuses. |
| November 16, 2018 | Updated to new format with current links and reference to South Carolina Pregnancy Accommodations Act. |
| August 20, 2024 | Policy Revalidated |