# Guidelines for supporting staff who are breastfeeding

# Background:

1.1 Trinity College Dublin is committed to supporting breastfeeding among staff and students.

1.2 Trinity College Dublin aims to establishing policies to assist staff to combine work and breastfeeding. We are also committed to ensuring that employees who want to continue breastfeeding on returning to work are provided with appropriate arrangements and facilities to combine work and breastfeeding. Irelands National Breastfeeding Policy (Department of Health & Children 2004) recommends that breastfeeding policies should ensure that employees are supported to breastfeed for as long as they choose to do so and recommends that breastfeeding continue for two years or beyond. This recommendation is supported by evidence that demonstrates the important benefits of breastfeeding for the health and well-being of infants, mothers, and wider society.To sustain breastfeeding it is vital that mothers either breastfeed their babies or express breast milk at regular intervals every day. If they are not able to do this their milk supply will be adversely affected. This does not apply to non-breastfeeding mothers.

Employers also stand to benefit when mothers on their staff breastfeed. The benefits include:

Reduced absenteeism and increased productivity as parents need to take less time off to care for sick children, as breastfed babies will be healthier throughout their childhood.

Positive corporate image: staff have increased loyalty to organisations with a family-friendly approach.

**Who is this policy for?**

2.1 All female breastfeeding employees working in Trinity College Dublin

2.2 All managerial, supervisory & co-workers of the breastfeeding staff.

**Note: The need for lactation breaks does not apply to non - breastfeeding employees.**

**The Legal Context**

3.1 Under Section 9 of the Maternity Protection (Amendment) Act 2004 “ women in employment who are breastfeeding are entitled to take time off work each day in order to breastfeed. The provision applies to all women in employment who have given birth within the previous 26 weeks. Employees returning after this time may only be provided with lactation breaks, subject to discussion with their Manager and departmental service needs”.

3.2 The Maternity Protection (Amendment) Act 2004 provides an entitlement to paid breastfeeding/lactation breaks where the employer provides facilities or a reduction of working hours without a loss of pay for breastfeeding where no facilities are provided.

3.3 As Trinity provides facilities for employees to express breast milk the employee is entitled under Section 9 of the 2004 Act to a breastfeeding/lactation break of one hour per normal eight hour working day.

The regulations state that this paid break can be broken into:

1 x 60 minute break, 2 x 30 minute breaks or 3 x 20 minute breaks.

This paid break is in addition to meal breaks.

The Regulations provide for a pro-rata entitlement for part-time employees or employees who do not work an eight hour day.

Breastfeeding Breaks cannot be accumulated

3.4 In Ireland, “an employee who is breastfeeding” is defined as any employee who is breastfeeding within 6 months (26 weeks) of giving birth and has informed her employer accordingly (the legislation confirms that breastfeeding includes expression of breast milk by the mother).

# Responsibilities

## Employee

4.1 An employee who wishes to exercise their rights to breastfeed in employment, must notify their line manager /employer (in writing) of their intention to breastfeed at work. They must confirm this information at least 4 weeks before the date they intend to return to employment from maternity leave. If an employee does not provide proper notice of their return to work, this could affect their rights as contained in the Act.

4.2 The breastfeeding employee shall be responsible for the care and safe storage of their breast milk.

4.3 The breastfeeding employee shall be responsible for the equipment necessary for expressing their milk

## Employer

4.4 It is the responsibility of the Line Manager to ensure that the breastfeeding employee is supported and that all relevant staff are informed of the necessary breastfeeding break needs.

4.5 It is the responsibility of the Line Manager to comply with legislation, i.e. Maternity Protection (Amendment) Act 2004. This includes replying to the request for lactation breaks within two weeks of receiving it.

4.6 A breastfeeding employee returning to work within 26 weeks is supported through Health and Safety legislation. Regulations require that an employer must assess the workplace for risks to pregnant workers, and those who have recently given birth or who are breastfeeding. If a risk is established, the employer must put in place measures to remove the risk. If it is not possible for the employer to do this, the employee must be granted suitable alternative work. If the employee cannot be granted suitable alternative work, then they must be granted Health & Safety Leave.

# Procedures

5.1 Facilities are available across Trinity (see [www.tcd.ie/collegehealth/promotion/breastfeeding](http://www.tcd.ie/collegehealth/promotion/breastfeeding) for details) that afford privacy to the breastfeeding employee to express their milk. The following is the procedure for the use of these facilities.

The breastfeeding employee is required to:

5.2 Make formal written request to their line manager for the purpose of expressing breast milk using Appendix 1.

5.3 Agree with their line manager at local level the management of lactation breaks

5.4 Respect the privacy and security of the room and of those who use it.

5.5 Ensure the room is clean as they depart.

5.6 Take responsibility for the labelling and storage of their own breast milk.

5.7 Take responsibility for the care and maintenance of their own equipment

(e.g. breast pump).

The Line Manager is required to:

5.8 Inform all relevant staff of the availability of agreed lactation breaks for the breastfeeding employee and the organisation/hospital’s support of same.

5.9 Agree management of lactation breaks with the breastfeeding employee.

# Implementation and education plan

This guideline will be promoted by:

Circulating an all users email to inform staff.

Developing an information leaflet to be distributed to all pregnant staff (possible work with Occupational Health Department to develop this).

Making the guidelines available online, in a prominent and accessible place.

# Appendix 1

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| **Notification of intent to use the breastfeeding arrangements** |
| Employee’s name:Staff Number: |  |
| Infant’s date of birth: |  |
|  I confirm that I will be/am breastfeeding my infant and I intend availing of the breast feeding facilities and/or break arrangements from: | Date: |
| I understand that breastfeeding/expressing breaks must be requested in line with the arrangements described in this document |  |
| The arrangements I require are: | I am planning to express breastmilk and require facilities□I plan to take lactation breaks □ |
| Please provide more specific details on the arrangements you request here including the lactation breaks: |
| **Declaration**I declare that the information given above is true and complete. I confirm that when I cease to breastfeed my infant I will notify my manager accordingly.Signature of Employee\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date: |
| Signature of Line Manager \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date: |