

2022

City of Albuquerque Lactation Information



**BetterHealth**

CITY OF ALBUQUERQUE

*Better you.*

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Health & Wellness Program Coordinator

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## FMLA Maternity Overview

Enclosed is the **Administrative Instruction No. 7-53 Break Time for Lactation**. The policy was enacted April 4<sup>th</sup>, 2016. Please take a few minutes to read each section.

Please read the enclosed **Mother's Room Procedures for Employees** if you work near City Hall. If you intend to use the Mother's Room, return the signed document to the Wellness Coordinator or Wellness Assistant in the Insurance and Benefits Division located on the 7th floor of City Hall, Room 702. The Mother's Room contains a comfortable and private area for lactation. However, the room is secured. Please contact the Wellness Coordinator or Wellness Assistant for access.

Also enclosed is a list of **Mother's Room locations** throughout the City as well as **Presbyterian Health Plan Members: Covered Breastfeeding Support and Supplies** information that provides details about the supplies needed for the breast pump should you want to use the commercial-grade pump in City Hall.

Breastfeeding benefits both mother and child, but there is often a gap between a woman's desire to breastfeed her baby and support at work to succeed. Although most women *plan* to breastfeed, a much lower proportion actually do when they return home after delivery. The City of Albuquerque recognizes the importance of breastfeeding and supports the accommodation of mothers who choose to continue breastfeeding and expressing milk after they return to work.

**Remember to enroll your newborn within 31 days of birth in Employee Self Service.**

Breastfeeding is a huge accomplishment and you have our support!

Best in health to you and your family!

For additional information, please contact Insurance & Benefits at (505) 768-3758 or online at [www.cabq.gov/benefits](http://www.cabq.gov/benefits).



# City of Albuquerque

## MAYOR/CAO OFFICE

Timothy M. Keller, Mayor

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### **ADMINISTRATIVE INSTRUCTION NO: 7-53 (2016)**

#### **TITLE: Break Time for Lactation**

#### **PRIMARY DEPARTMENT: Human Resources Department**

The City of Albuquerque recognizes the health benefits of breastfeeding and supports accommodation of mothers who choose to utilize their own breast pump to express breast milk upon returning to work after maternity leave of absence.

This Administrative Instruction is in compliance with the break time requirement for nursing mothers in the Patient Protection and Affordable Care Act (PPACA), which took effect on March 23, 2010 (P.L. 111-148). PPACA also amended Section 7(r) of the Fair Labor Standards Act (FLSA) which regulates break time for nursing mothers.

This Administrative Instruction also aligns with New Mexico state law [NMSA 1978, Section 28-20-2 (Amended 2007)] which requires employers to provide flexible break time and a clean, private space, not a bathroom, in order to foster the ability of a nursing mother who is an employee to use a breast pump in the workplace.

#### Policy

##### A. Flexible Scheduling

1. A nursing employee is allowed to use a breast pump to express milk during the work day using her regular break and meal periods. Since the frequency and duration of lactation breaks will likely vary throughout the nursing period, a nursing employee shall be allowed a reasonable flexible break schedule for lactation with her own breast pump. The time allowed for milk expression breaks each work day will not exceed the combined total amount of time for regular employee break and meal periods. For time above and beyond the combined total amount of time for break and meal periods, the employee may request a lactation break schedule that includes the use of available vacation or sick leave accruals. An employee who does not have sufficient vacation or sick leave accruals must request the use of Personal Leave Without Pay.

2. Under no circumstances will the employee be paid overtime pay to complete their work due to the time required to express milk.

3. In order to prepare a work schedule and coverage for a nursing employee who provides uninterrupted city services, the employee must provide to her supervisor at the beginning of each pay week a proposed schedule for expressing milk with a breast pump.

4. All flexible lactation break schedule requests are subject to approval by the department based on reasonableness of the request. Supervisors will consult with the employee to identify a flexible break schedule that considers parameters of the employee's job description and the service being provided.

##### B. Designated Lactation Space

1. Each department will provide a sanitary, lockable, private room or other space where an employee can express milk with her own breast pump in privacy, shielded from view, and free from intrusion from coworkers and the public. This room or space may be used by other on-duty city employees when the room is not being used to express milk.

2. Where possible, the room will be located near a sink with running water for washing hands and rinsing out breast pump parts, and have an electrical outlet. Where possible, the room or space will be in close proximity to the employees' work area. The room may not be a toilet stall or bathroom. If employees prefer, they may express milk in their own private office or other comfortable locations agreed upon in consultation with the employee's supervisor.

3. It is the employee's responsibility to keep the location clean after each use and remove any personal items.

4. Nursing employees who do not work in an office setting but provide uninterrupted city services may be required to use a room or space established by this Administrative Instruction at a city facility that is not operated by the department in which the employee works. The employee would be required to use this room or space in order to minimize travel time to and from the employee's work location to the room or space.

5. Some departments may elect to provide transportation for the employee from the field to the building in which the lactation space is located.

6. Twice a year, in January and in July, the Human Resources department will distribute a list of each city facility that has or may have a private room or space for expressing milk. This list will provide the following information: Name of facility or complex, street address, days and hours of operation, location of the room or space, parking information, any restrictions for the use of the room or space, contact name, phone number, and email address. Department representatives may use the list to identify facilities that meet the needs of their department. Each department is responsible for making lactation space arrangements.

#### C. Storing Breast Milk

1. Nursing employees will provide their own containers and storage unit such as small ice chest or thermos from home if these accommodations are not in place.
2. If breast milk is stored in a common refrigerator, the expressed milk container must be placed in a clean, closed container, which has the mother's name and date on it. It is the employee's responsibility to remove expressed milk at the end of each day.

#### D. Employee's Responsibility

1. Employees need to inform their supervisor as early as possible of their intention to continue breast pumping following maternity leave of absence. At least two (2) weeks' advance notice should be given. This provides the department time for all necessary arrangements to be made.
2. At the beginning of each pay week, provide the supervisor a proposed break schedule for expressing milk with a breast pump.

#### E. Supervisor's Responsibility

1. Upon receiving an employee's advance notification of her intention to express milk during the work day, the department must take necessary steps to ensure schedule and room arrangements are made prior to an employee's return to work.
2. Retaliation is prohibited against an employee who files a complaint, institutes a proceeding, or testifies in a lactation break time investigation (Section 15(a)(3) of the FLSA).

#### F. Human Resources Department Responsibility

1. Provide list identified in section B-6 of this Administrative Instruction.
2. As part of the procedure for applying for maternity leave under the Family and Medical Leave Act, mothers shall be provided this Administrative Instruction.

G. Maximum Time Frame for Schedule Adaptation

1. The flexible lactation break schedule and space accommodations for employees will expire one year from the date of birth of the child.
2. If the employee discontinues breast pumping before the child's first birthday, the employee is obligated to inform her supervisor of the date she will discontinue breast pumping. Failure to inform the supervisor upon discontinuing breast pumping and continuing to utilize the space accommodations or schedule adaptation would be considered a policy violation subject to appropriate disciplinary action.

H. Scope

This Administrative Instruction applies to all current employees, classified and unclassified, including but not limited to interns, volunteers and seasonal employees.

REFERENCES:

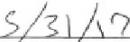
Patient Protection and Affordable Care Act (PPACA)

Section 7(r) of the Fair Labor Standards Act (FLSA)

NMSA 1978, Section 28-20-2 (Amended 2007)

Section 15(a)(3) of the FLSA

  
\_\_\_\_\_  
Robert J. Perry  
Chief Administrative Officer

  
\_\_\_\_\_  
Effective Date

# City Hall – Treasury Office

## Mothers Room Procedures for Employees



### Nursing Mothers in City Hall:

- The Mother's Room is (temporarily) in a secure area. Please return this signed waiver to the Health and Wellness Coordinator in the Human Resources Department and to obtain access to the lactation room.
- Please review the Lactation Room spreadsheet for hours of operation and contact information.
- If you use the provided breast pumps, supply your own tubing, adaptor, bottles, and baggies.
- Breast pumps are to be used only in the Mother's Rooms and not to be taken out of the rooms.
- Do not use other people's equipment.
- Only breast milk may be stored in the room's refrigerator. Label your bottles and baggies with your name, date, and phone number when placing them in the refrigerator. Remove your expressed milk at the end of each day.
- Wipe down the room before leaving the area.
- Each station is equipped with a pump, table, chair, trash can, tissue, and sanitizer. If there is an issue with the room or any equipment is missing please contact the Wellness Coordinator at 768-2921.
- Track your personal belongings, as only you are responsible for items left in the Mother's Room.



### Waiver for Breast Pump Use

- I understand the City of Albuquerque is providing a breast pump.
- I acknowledge use of the available breast pump is voluntary.
- I understand the City of Albuquerque will make the best effort to maintain the breast pumps, but the City of Albuquerque does not guarantee the breast pumps will be available or functioning properly.
- I have read and received a copy of the Mother's Room Procedures, and I agree to comply with the Procedures.
- I understand I have an opportunity to learn about the provided breast pumps by reviewing product information on the Ameda website at [Ameda.com](http://Ameda.com) and search for the Ameda Elite Multi-User Breast pump. Materials are third party and the City of Albuquerque does not accept responsibility for accuracy or completeness of third-party materials.
- I release the City of Albuquerque and any of its entities and employees from loss, damage, injury, accident, liability, claim, cost or expense arising from use of breast pump.

Please check one:

- I intend to use the City of Albuquerque provided breast pump.
- I intend to use the Mother's Room, but I do **not** intend to use the City of Albuquerque provided breast pump.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Plaza del Sol - 7<sup>th</sup> Floor

## Mother's Room/Nursing Station

### Procedures for

## City of Albuquerque Employees



#### **Nursing Mothers:**

- You will receive access to the Plaza del Sol Mother's Room upon return of this signed form to the City Clerk's Office.
- The room is for female employees only to express breast milk. All departments are welcome.
- Bring your own breast pump and take it with you when finished.
- Wipe down your station before leaving the area.
- Track your personal belongings, as only you are responsible for items left in the room.
- Enter the Plaza del Sol Mother's Room through the City Clerk's Office.
- Plaza del Sol Mother's Room hours are 8am – 5pm. Plan ahead to leave the Mother's Room by 5pm.
- If there is an issue with the room please contact the City Clerk's Office at 505-924-3650.

**I have read the Plaza del Sol Mother's Room/Nursing Station Procedures, and I agree to comply with the Procedures.**

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# PRESBYTERIAN HEALTH PLAN SUPPORT AND SUPPLIES

## **Presbyterian Health Plan Members: Covered Breastfeeding Support and Supplies**

The Affordable Care Act (ACA) makes breastfeeding more accessible and affordable for millions of American women. The law requires all health plans to cover breastfeeding supplies, support, and counseling without co-payments, deductibles, or co-insurance using in-network providers and with a prescription from your doctor.

### ***What the City of Albuquerque provides:***

Nursing Mother's Room locations

- City Hall – First Floor – Call the CABQ Insurance and Benefits Division at 505-768-3758 for information.
  - The room contains one station with hospital-grade Ameda Elite Breast pumps \*Bring your own Ameda brand personal tubing and adaptor for pump hookup\* The Ameda Elite is designed to work faster than personal breast pumps and with any of the Ameda HygieniKit\* Milk Collection Systems. A refrigerator is available for breast milk storage and there is a sink located near the room.
- Visit <https://cabq.gov/BetterHealth> for a list of all lactation room locations. Contact your HR Coordinator or the Wellness Coordinator for more information.

### ***Your covered benefit through Presbyterian:***

For the in-network breast pump benefit with a \$0 copay, two brands are available to choose from, with a prescription. NOTE: Only the Ameda *Purely Yours Express* breast pump has compatible tubing with the Ameda *Elite* breast pump located in City Hall. Hospital grade pumps require prior authorization and they are prescribed when medically necessary.

Other breast pumps are available at an out-of-network benefit level and they are covered under the Durable Medical Equipment (DME) benefit. You will pay 50 percent of the cost and it is subject to deductible.

### ***Where can you obtain your breast pump supplies?***

You can go to one of the following in-network DME locations:

#### **Apria**

4421 McLeod Blvd NE | Suite A | 87109 | Phone (505) 881-9111

4140 Jackie Road SE | Rio Rancho | 87124 | Phone (505) 717-8010

#### **HME Specialists, LLC**

611 Osuna Rd NE | 87113 | Phone (505) 888-6500

[www.phs.org](http://www.phs.org)

**Presbyterian Health Plan, Inc.**

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## CABQ LACTATION LOCATIONS

| Department     | Facility  | Contact Name           | Contact Phone | Contact Email  |
|----------------|---|------------------------|---------------|--|
| Aviation       | Albuquerque International Sunport                 | Regina "Sam" Samaniego | 505-244-7721  | <a href="mailto:rsamaniego@cabq.gov">rsamaniego@cabq.gov</a>       |
| Animal Welfare | Animal Welfare Eastside - Administrative Building | Don Hill               | 505-764-1154  | <a href="mailto:dbhill@cabq.gov">dbhill@cabq.gov</a>               |
| Animal Welfare | Animal Welfare Westside                           | Don Hill               | 505-764-1154  | <a href="mailto:dbhill@cabq.gov">dbhill@cabq.gov</a>               |
| City Clerk     | Plaza Del Sol                                     | Camille Chavez         | 505-263-1797  | <a href="mailto:camillechavez@cabq.gov">camillechavez@cabq.gov</a> |
| Senior Affairs | North Domingo Baca Multigenerational Center       | Tom Gallagher          | 505-764-6478  | <a href="mailto:tgallagher@cabq.gov">tgallagher@cabq.gov</a>       |
| City Hall      | Old City Hall                                     | Tom Gallagher          | 505-764-6478  | <a href="mailto:tgallagher@cabq.gov">tgallagher@cabq.gov</a>       |
| Solid Waste    | Administrative Offices                            | Joy Serna              | 505-761-8151  | <a href="mailto:jaserna@cabq.gov">jaserna@cabq.gov</a>             |
| Transit        | Alvarado Transportation Center                    | Margaret Lucero        | 505-724-3198  | <a href="mailto:mlucero@cabq.gov">mlucero@cabq.gov</a>             |
| APD            | APD Main  | Front Desk Security    | 505-768-2020  |  |

### **For more information such as:**

- Days and hours of operation
- Parking information
- Address details

Please visit our website at [cabq.gov/BetterHealth](http://cabq.gov/BetterHealth)

## Other Valuable Resources

- **BetterHealth Website:** <https://Cabq.gov/BetterHealth>
- **Presbyterian PRESious Beginnings:** <https://www.phs.org/doctors-services/services-centers/womens-health/Pages/presious-beginnings.aspx>
- **Presbyterian Breastfeeding Information:** <https://www.phs.org/doctors-services/services-centers/womens-health/Pages/breastfeeding-support-services.aspx>
- **New Mexico Breastfeeding Task Force:** <https://breastfeedingnm.org/>