




Policy Name:	Lactation Room Policy		
Associated Forms:	N/A	Policy Number:	2022-4
Reviewed:	Non-Academic Policy Committee	Approved:	March 14, 2022
Approval Authority:	President 	Adopted:	March 16, 2022
Responsible Executive:	1. Vice President for Student Affairs 2. Executive Director of Human Resources	Revised:	N/A
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.

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 reasonable break time to express milk for up to three years after they give birth. An employee may do this by utilizing paid break or meal periods, or taking unpaid break periods, with the option of making up the time by extending the workday. Mercy University must also provide an employee, upon request, a room or other location, in reasonable proximity to the work area, where the employee can express milk in privacy. The room cannot be a bathroom and must be private and have a door that locks, shades for any windows, and a table, chair, and electric outlet.

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. As such, the University shall provide a room to nursing students in the same fashion as employees.

II. Employee Requests

- A. Breaks to Express Milk: Employees may request reasonable unpaid break time and/or use their paid breaks or mealtimes for this purpose. Time used to express milk may be made up at the beginning or end of the workday. Employees should discuss their requests with their supervisor.
- B. Lactation Rooms: Rooms are available at the Bronx, Dobbs Ferry, Manhattan, and Tarrytown locations. Employees should check with the Office of Human Resources 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 the Office of Human Resources or the Director of Title IX for details.

III. Supervisor Responsibilities

Supervisors should grant reasonable requests for unpaid break time and/or the use of paid breaks or mealtimes for lactation. Time 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 the Office of 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.

IV. 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 nursing parents' room, they can work with the Office of ACCESSibility to determine a suitable space if such alternative space is available.

V. Access and Scheduling

Employees and students needing access to a designated lactation room should meet with the Office of ACCESSibility or Director of Title IX /Equity Compliance (for students) or the Office of Human Resources or director of Title IX /Equity Compliance (for employees). The various offices will coordinate with each other 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.

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 Human Resources)
- 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)

VI. Contact Information

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) 674-7733, hr@mercy.edu

- Director of Title IX Coordinator/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 for additional information.