

Yellowstone County Breastfeeding in the Workplace Policy

Policy No. 25-84

Purpose:

In compliance with **MCA 39-2-215** and **MCA 39-2-217** and in recognition of the health and bonding benefits of breastfeeding, Yellowstone County supports the rights of lactating employees to express breast milk in the workplace.

This policy establishes guidelines for providing reasonable accommodation and a supportive environment for employees who wish to express and store milk during the workday.

Policy Statement:

Yellowstone County shall provide reasonable unpaid break time each day for an employee to express milk for her infant child or shall permit the employee to use paid break and mealtime for this purpose. Accordingly, Yellowstone County shall make reasonable efforts to provide a private location for this activity.

Yellowstone County will make available a space for breastfeeding and breast pumping for lactating employees, including provisions for privacy, lighting and electricity for pump apparatus.

Legal Authority

MCA 39-2-215: Requires public and private employers to provide reasonable unpaid break time (or allow use of paid break time), for employees to express milk.

MCA 39-2-217: Prohibits discrimination or retaliation against an employee who expresses milk in the workplace in accordance with the law.

Procedures

1. Notification and Scheduling

Employees intending to express milk or breastfeed at work should inform their supervisor or the HR Department to arrange accommodation, especially if someone else is bringing your child on a specified schedule for feeding. While advance notice is strongly encouraged, it is not required.

2. Break Time

- Employees may take reasonable unpaid break time each day to express milk or breastfeed.
- Alternatively, employees may use existing paid break and/or mealtimes for this purpose.
- The frequency and duration of breaks may vary depending on the needs of the nursing employee.

3. Private Location

Yellowstone County will make reasonable efforts to provide space near the employee's work area in all Yellowstone County facilities for the purpose of expressing and storing breast milk.

The space will be clean and private such as a dedicated room or separated area. Equipped with a chair and flat surface, near an electrical outlet (if needed for a breast pump). Lockable or equipped with a sign to ensure privacy.

4. Storage of Breast Milk

Employees may store expressed milk in personal coolers or designated refrigerators if available. Milk must be properly labeled and stored in sealed containers.

5. Non-Discrimination and Retaliation

Per MCA 39-2-217, no employee shall be discriminated against, harassed, or retaliated against for exercising her rights under this policy. Complaints may be reported to the County Human Resource Department or the Montana Human Rights Bureau.

Enforcement and Responsibility

Department heads and supervisors are responsible for ensuring compliance with this policy and supporting lactating employees. The Human Resources Department shall assist in implementing this policy, provide necessary training and resolve any issues that arise.

Review and Revisions

This policy will be reviewed periodically to ensure compliance with Montana State Law and to reflect the needs of Yellowstone County employees.

Approved this _____ day of July 2025. This Policy becomes effective when approved.

ATTEST:

Board of County Commissioners
Yellowstone County

Mark Morse, Chairman

Jeff Martin
Clerk and Recorder

Michael J. Waters, Member

Date