



3-12-101 Purpose.

The University of Northern Colorado (UNC) recognizes the importance and benefits of breastfeeding/ chestfeeding and human milk for lactating individuals and their children. UNC also is committed to promoting a family-friendly work and study environment. Applicable Colorado Statutes (see Section 3- 12-105, below) provide for the privacy needs of employees who are breastfeeding/chestfeeding/ expressing milk. Faculty, staff, and students who are breastfeeding/chestfeeding/expressing milk should not be compelled to choose between continued employment or academic pursuits under adverse conditions that place their health and their professional and/or academic success at risk.

3-12-102 Responsibility.

All University supervisors, managers, directors, and faculty are responsible for being aware of the policy, and for working with lactating employees and students to arrange lactation break times in accordance with the policy. The Division of Student Affairs, Human Resources, and the Lactation Support Program will be responsible for distributing this policy to the University community, and for responding to any questions about the policy raised by faculty, staff, and students.

3-12-103 Policy on Lactation.

In keeping with or exceeding the requirements of Colorado and federal law, UNC acknowledges that an individual may breastfeed/chestfeed/express milk in any place they have a right to be on campus. UNC shall provide faculty, staff, and students who are lactating with breaks as defined by the individual, and a clean, private space (other than a restroom) for milk expression that is in close proximity to their work or study area.

3-12-103(1) Lactation Breaks.

(a) Employee Specific Information.

- (i) UNC shall accommodate an employee who gives their Department Chair/Program Coordinator/Director/Supervisor notice of a need for lactation support and facilities to express milk. Note that Colorado state law supports up to two years after birth, but UNC will continue to provide lactation support as long as desired by employee.
- (ii) An employee should notify their Department Chair/Program Coordinator/ Director/Supervisor in a timely manner of their request for lactation support when they are reasonably certain they will need to request time and/or a location to express milk.
- (iii) Supervisors will work with employees (including faculty, staff, teaching and graduate students and student employees) who are expressing milk to schedule reasonable and flexible break times each day.
- (iv) Where applicable, unpaid break time, or permitting an employee to use paid break time or mealtime, shall be allowed for the employee to express milk. The supervisor and employee shall work together cooperatively to establish times for the employee to express milk as often as needed and determined by the employee.

(b) Student Specific Information.

- (i) UNC faculty and staff will offer support and resources to their students with their breastfeeding/chestfeeding/lactating needs.
 - (A) Examples of support include: identifying times a student will step out to express milk, identifying a space where expressing milk can occur, connecting them with other campus lactation support resources by visiting <https://www.unco.edu/center-womens-and-gender-equity/what-we-offer/lactation-support/>.
- (ii) Students who are breastfeeding/chestfeeding who need to leave class to express milk shall inform the instructor of the need and estimated time away from class as soon as possible.

- (iii) Instructors/faculty are prohibited from penalizing lactating students who are requesting or receiving any accommodations for expressing milk while taking their course.
- (iv) Instructors/faculty and students shall work together to identify solutions for making up in-class work or participation credits, as well as instruction missed. If problems arise, or a student must miss class for longer periods of time due to medical necessity, the student and/or instructor/faculty member may contact the Title IX Coordinator and Equity Officer for assistance establishing reasonable accommodations.
- (v) Exam accommodations shall be provided as necessary and may include extending the available time for an exam to allow for the expression of milk or situating the exam room closer to a lactation space to minimize disruption.
- (vi) UNC's Title IX Coordinator and Equity Officer can serve as a liaison, support, and resource in the development and implementation of these accommodations to ensure the student's educational opportunities. These include, but are not limited to, in-class and all university sponsored activities (e.g., required clinical rotations, athletics), and are not diminished because of lactation. Per federal case law, lactation is a pregnancy-related medical condition.

3-12-103(2) Lactation Facilities.

- (a) UNC shall provide clean, semi-private/private locations for employees and students to express milk, and shall make reasonable efforts to provide an area in close proximity to the employee's work area in accordance with applicable federal and Colorado law.
- (b) Areas such as toilet stalls or areas within a restroom are not considered appropriate locations for expressing milk and are not permissible per federal and state law. A restroom equipped with a separate, closed off, designated room for lactation purposes is an appropriate location.
- (c) A supervisor/faculty member who receives a request from an employee/student for break time and/or a private location to express milk shall review available space in their department/unit and be prepared to

provide appropriate nearby space and break time.

- (d) The designated lactation station locations on the UNC campus are listed at: <https://www.unco.edu/center-womens-and-gender-equity/what-we-offer/lactation-support/>. Included are descriptions of each lactation station, and what, if any, pumping equipment is available.
- (e) UNC's Lactation Support Program and employees/students who use the designated lactation stations on-campus will be responsible for keeping the facilities clean, and, where pumps are available, for cleaning and sanitizing the pump after each use. Employees/students will be responsible for cleaning and sanitizing their own pumps and pump pieces and storing their own milk.

3-12-104 Important Contact Information.

- (1) Employees are encouraged to report issues related to lactation support request needs to Human Resources for consideration and resolution.
- (2) Students are encouraged to report issues related to lactation support request needs to the Dean of Students Office for consideration and resolution. Depending on the circumstances, those involved in such investigations may include Human Resources, Dean of Students, Provost, University Counsel, Office of Institutional Equity & Compliance, and/or appropriate law enforcement agencies.
- (3) Employees and students who have questions regarding access and use of the lactation stations or would like general information about expressing milk or UNC's Lactation Support Program may contact support staff at <https://www.unco.edu/center-womens-and-gender-equity/about-us/meet-our-staff/>.

3-12-105 Applicable Colorado Statutes.

- (1) C.R.S. § 25-6-301, et seq. recognizes the benefits of breastfeeding children and allows a mother to breastfeed "in any place she has a right to be."
- (2) C.R.S. § 8-13.5-101, et seq. recognizes the benefits of the breastfeeding of children. The statute requires employers to provide adequate break time for an employee to express breast milk for their nursing child up to two years after the child's birth. The statute also requires an employer to make

reasonable efforts to provide a room or other location in close proximity to the work area, other than a toilet stall, where an employee can express breast milk in privacy.

Policy History

3-12-101 LACTATION SUPPORT POLICY

Entire article added (Apr 2021)