



**PRINCE GEORGE'S COUNTY, MARYLAND  
FIRE/EMERGENCY MEDICAL SERVICES DEPARTMENT GENERAL ORDER**

<b>General Order Number:</b> 08-04	<b>Effective Date:</b> March 9, 2021
<b>Division:</b> Health & Safety	
<b>Chapter:</b> Lactation Policy	
<b>By Order of the Fire Chief:</b> Tiffany D. Green <i>TJ</i>	<b>Issue Date:</b> March 9, 2021

**POLICY**

This General Order outlines the specific requirements for educating and providing accommodations related to the expression of milk in the workplace for all members (career, civilian, and volunteer) within the Prince George's County Fire/Emergency Medical Services (EMS) Department.

**DEFINITIONS**

N/A

**PROCEDURES / RESPONSIBILITIES**

**I. Benefits of Accommodating Breastfeeding**

- A. The Department recognizes the benefits of accommodating breastfeeding, including:
  - 1. Promoting infant health
  - 2. Aiding in healing after childbirth
  - 3. Reducing the need for Sick Leave
  - 4. Improving productivity
  - 5. Enhancing the Department's public image
  - 6. Decreasing turnover
  
- B. Various local, state, and federal governments recognize the importance of the benefits of breastfeeding and have enacted laws and rules applicable to accommodating milk expression in the workplace, including places to express, frequency and length of breaks, duration of expression after childbirth, and storage of breast milk.
  
- C. The process for accommodations should be an interactive one between the member and their respective supervisor. Breastfeeding is a very personal decision; with the understanding that all scenarios are not the same.
  - 1. Members and supervisors should be flexible and weigh the needs of all involved, including those of the member, the infant, as well as the Department's existing resources and providing emergency services to the residents.
  - 2. A member who seeks an accommodation for expressing milk may draft a plan for the expression of milk. The plan should be written in complete sentences and should address the anticipated place(s) to express, frequency and length of breaks, and storage of breast milk. The member may seek



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guidance from the supervisor to draft the plan. The member should sign and date the plan and submit it to the supervisor.

3. The supervisor may sign and date the plan that is within the parameters of this General Order or may ask to meet with the member for clarification, to discuss modifying the plan within the parameters of this General Order, or to discuss submitting the plan to the Fire Chief or his or her designee for approval if the plan falls outside the parameters of this General Order. Any proposed plan that falls outside the parameters of this General Order must be submitted through the supervisory chain-of-command to the Fire Chief or his or her designee. Supervisors within the chain-of-command may submit comments about the plan to the Fire Chief or his or her designee.
4. Any subsequent understanding between a member and the supervisor should also be clearly documented, and the supervisor and the member should each sign and date any subsequent agreement.

### **II. Places to Express**

- A. Federal, State, and local laws mandate that the Department provide personnel with a place other than a restroom that is shielded from view and free from intrusion from co-workers, and the public.
- B. The place must be a clean, comfortable, private, and dedicated space in which to express milk. The space should have a chair, an electrical outlet and a flat surface, other than the floor, for pumping equipment.
- C. If a space cannot be dedicated full-time to the member to use, the Department may make or convert a space temporarily, so long as the space is made available when needed.
- D. The space should be in close proximity to the member's work area.
- E. The member occupying the space must be able to secure the space by locking the door or placing a sign notifying others the space is occupied. The supervisor on the members' shift should instruct other co-workers to not interrupt the member during their authorized break, except when announcing an emergency or other urgent circumstance.
- F. Other items a supervisor may consider including within or near a lactation room are: a locker or hooks for clothing and belongings, comfortable seating, a white noise machine, a small refrigerator, a sink with running water, a mirror, and cleaning supplies.

### **III. Frequency and Length of Breaks**

- A. The Department is required to provide "reasonable break time" for personnel to express milk for nursing an infant/child each time the member has the need to express the milk. The frequency of the need for breaks and the duration of each break will likely vary.
- B. Experts have recognized that after six (6) months or when a new born is introduced to eating solid foods, the frequency and/or length of breaks may decrease. It may be uncomfortable or painful to miss a pumping session and missing a few sessions can



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negatively impact milk supply.

- C. Production and expression of milk varies greatly, and no law or rule explicitly states what timeframe is reasonable. Some sources indicate that the average time needed for expressing milk is 15 minutes, two or three times per eight (8) hour shift. Some sources advocate for adding time to cleaning up supplies after pumping. Pumping sessions may be longer and more frequent during the first few months, then taper off as the need decreases.
- D. Another factor impacting break time may be the quality of the equipment used. A single sided manual pump would take longer to express milk than a double sided, electrical pump or a hospital grade pump.
- E. The member and their supervisor may plan for the member to be placed “out of service” for up to one (1) hour, every three (3) to four (4) hours as needed for the purpose of expressing milk.
- F. If a member determines that a longer or an additional break is needed than described under paragraph E., the member may occasionally request the use of annual leave, leave without pay (LWOP), or compensatory leave, as a temporary accommodation. The supervisor must consider the member’s request for additional break time but may deny the request if the supervisor determines being placed out of service would unduly compromise the operational obligations of the Department, including time periods when the Department is operating under the Limited EMS Resource Plan, or “LERP.” During LERP status, the member must coordinate with the supervisor to go out of service as soon as the Department returns to a normal (non-LERP) operating status. Similarly, the member must respond to all priority 1 calls for service (i.e. CPR in progress, first due structure fire, or motor vehicle accident with entrapment) unless the member has already begun a pumping session and/or the station has already been placed out of service.
- G. If the member requests a more permanent accommodation lasting over one hour or more than every three hours, the accommodations must be approved by the Fire Chief or his or her designee. However, the member may also request a reasonable accommodation under this section through the Department’s Health & Wellness Office.
- H. The member and the supervisor must meet to re-evaluate the frequency and length of breaks every three (3) months and adjust the agreement as needed.

**IV. Storage of Breast Milk**

- A. A member may store breast milk in any available refrigerated space. The member must clearly label the contents as “expressed milk” when storing in a common area and remove from the refrigerator at the end of each shift.

**V. Duration of Accommodation**

- A. Federal law authorizes an accommodation for expressing milk in the workplace for up to



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one (1) year from the birth of the child.

- B. If a member requests the accommodation for more than one year, the accommodation must be approved by the Fire Chief or his or her designee. However, the member may also request a reasonable accommodation under this section through the Department's Health & Wellness Office.

### **REFERENCES**

#### Applicable Laws:

- Patient Protection and the Affordable Care Act
- Fairness for Breastfeeding Mothers Act of 2019, Public law No.: 116-30 (7/25/2019) – applies to certain buildings open to the public
- Maryland State Personnel and Pension Code Annotated §2-310 (2018), see HB306

#### Breastfeeding Websites:

- Break Time for Nursing Mothers – <https://www.dol.gov/agencies/whd/nursing-mothers>
- Supporting Nursing Moms at Work – <https://www.womenshealth.gov/supporting-nursing-moms-work>

### **FORMS / ATTACHMENTS**

N/A