REPORT FOR THE UNIVERSITY SENATE

University Senate Committees: Faculty Personnel Committee and Academic Staff Personnel Committee

**Brief History of Issue - why the issue is being considered:**
UW-Eau Claire consists of approximately 1,300 employees and 11,000 students (UW-Eau Claire spending results in nearly $210 million in income, profits for local businesses, 2013). Of this population, women outnumber men 10–7 (About UW-Eau Claire), meaning approximately 7,200 women are regularly on campus, not including the large number of campus visitors. This amounts to a significant number of women having the potential to require lactation support on campus. However, a very limited number of lactation spaces currently exist, as outlined below:

- Davies Student Center (Room 326B, inside the women’s bathroom)
- Centennial Hall Education Building (entrance within the first floor women's restroom)
- Schofield (Rm 34 Garden Level)
- Children’s Center (1190 Priory Road, Eau Claire, not located on main campus; space available but not currently designated as lactation room)

While lactation space has been included in the new campus buildings (Davies Student Center and Centennial Hall), designated spaces have not been established in existing academic buildings where a large number of women work and study. Current conditions require that breastfeeding mothers visit one of the two lactation rooms found on the main lower campus assuming space is available when needed, or make other arrangements on a case-by-case basis.

**Points Discussed by Committee:**

- Federal law delineates certain necessary provisions for breastfeeding employees. Some of these are not currently being offered to breastfeeding employees on campus. This would bring us into compliance with federal law.
- Lack of scheduling flexibility to express milk, lack of accommodations to pump or store milk, and lack of support from employers and colleagues can all contribute to premature cessation of breastfeeding or can lead to employees leaving their employment. The proposed lactation support policy will eliminate or at least mitigate these barriers.
- Students should also be accommodated in the lactation support policy for similar reasons of reducing barriers to their success at our institution.

**Pros of Recommendation:**

- Reduction in sick time in breastfeeding employees
- Lower health care and insurance costs for breastfeeding employees and their families
- Improved retention and recruitment of breastfeeding employees
- Improved campus image

**Cons of Recommendation:**

- None that we can see.

**Technology/Human Resource Impact:**

- Changes to the Faculty and Academic Staff Rules and Procedures
- Updates to Human Resources website
- Policy training for supervisors/chairs
Lactation Support Policy

MOTION FOR THE UNIVERSITY SENATE

The University Senate Faculty Personnel Committee by a vote of _7_ for to _0_ against on April 21, 2015 and the University Senate Academic Staff Personnel Committee by a vote of _5_ for to _0_ against on April 21, 2015

Recommends that the following changes be made to the Faculty and Academic Staff Rules and Procedures, Part III, Article V: Personnel Policies and Procedures, Section D – Joint Personnel Policies and Procedures; on page 123

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d. Accumulation of Leave
Staff members whose initial appointments are eligible for Wisconsin Retirement System shall be granted 22 working days (i.e., Monday through Friday exclusive of holidays) of leave which they may draw upon as required by illness, injury, disability, or pregnancy. After one and one-half years of service, additional non-lapsing leave is earned by such members at the rate of one day per month for persons holding annual appointments and 12 days per academic year for those holding academic year appointments. Unused sick leave shall accumulate from year to year in the staff member’s account.

If a staff member takes sick leave, the rate of sick leave compensation shall be the rate of salary which the staff member would have normally received. Other than the 22 days of sick leave granted to the staff member upon appointment, sick leave may be taken only after it has been earned (i.e., it may not be anticipated). A staff member utilizing paid sick leave continues to accrue sick leave during the period of absence. However, a staff member shall not accumulate sick leave while on an unpaid leave of absence. Previously accumulated sick leave shall not be affected by unpaid leaves of absence.

1) Proration of Accumulated Sick Leave

Initial entitlement and accumulation of sick leave as specified in the preceding section assume full-time appointment of nine months or more. Part-time appointees have an initial entitlement, earn, and are charged sick leave in proportion to the extent of their appointment.

2) Cancellation and Reinstatement

If a staff member terminates employment with the University of Wisconsin System, unused sick leave will be terminated but will be reinstated if the staff member is reappointed to any position within the System within three years.

3) Relation of Sick Leave to Income Continuation Insurance

An employee must exhaust his/her sick leave or use a maximum of 130 days in order to be eligible to receive compensation under income continuation insurance except when an application for disability retirement has been made.

4) Change in Initial Entitlement

Unclassified personnel who change their FTE status within their initial 18-months of employment shall have their initial entitlement of sick leave days changed to correspond with their new FTE status.

8. Lactation support policy

University Responsibilities
Lactation Support Policy

Breastfeeding employees and students who choose to continue providing their milk for their infants after returning to work shall receive:

A place to express milk on campus:
UW-Eau Claire will provide employees and students with dedicated nursing and lactation space. If an appropriate personal office space is available, employees can use this space. The space does not need to be permanent or on the immediate premises, but it must be a private space and:

- not a bathroom
- not a locker room
- shielded from view
- free from intrusion by co-workers and/or the public
- within a 10-minute walk from the nursing mother’s assigned work area, preferably without having to go outdoors
- available in each of the main campus buildings on lower and upper campus
- available at approximately the times when the nursing mother is likely to need the space

Nursing and lactation space should be equipped with the following:

- Privacy in the form of a separate room when possible. If a large room is dedicated to lactation, partitions or curtains should be used to create separate, private spaces.
- If windows exist, drapes or curtains must be installed. When possible, the room will have a door that locks from the inside.
- Comfortable seating, a flat surface such as a table, and a trash can.
- An electrical outlet to support electric breast pumps.
- A light that is controllable from inside the room.
- A label or door sign that indicates the space is in use.
- Sanitary wipes for clean-up.
- A bulletin board to post user schedules.

Work required to convert these spaces could include paint, electrical updates, and furniture updates. The supervisor/chair should consult Facilities Management or the building coordinator to arrange for work to be completed.

Use of lactation spaces on campus:

- All breastfeeding employees and students will have access to lactation spaces.
- Campus visitors will be able to use the publically accessible lactation spaces.
- Depending on frequency of use, a schedule may need to be implemented to accommodate effective shared use of the room.

Break Times:

Paid break times are allowed for nursing and lactation responsibilities needed by the mother. When possible, breaks should be scheduled during normal break and meal times and/or when workflow allows. Typically, a nursing mother needs to take a 25 to 40 minute break approximately every three hours, including time to get to and from the lactation area. Supervisors should keep in mind that the frequency and duration of breaks vary from mother to mother depending on their physical needs. There may be occasions when a nursing mother will need to handle nursing and lactation responsibilities at times that
are not optimally convenient for the office. Supervisors are responsible for creating a supportive environment for nursing mothers so they can adequately manage their nursing and lactation responsibilities.

Employee/Student Responsibilities

- Communication: employees who wish to express milk during the workday shall coordinate with their supervisors as needed so they can work together to satisfy the needs of both the employee and the department/unit. Employees are encouraged to work with their supervisor/chair to plan for their lactation needs. If additional planning assistance is needed, employees may contact Human Resource. Students shall coordinate with course faculty/instructors to determine if special accommodations are required. If additional planning assistance is needed, students may contact the Associate Vice Chancellor for Academic Affairs.

- Maintenance of the lactation room: nursing mothers are responsible for keeping the room clean and sanitary for the next user.

- Milk storage: As with any personal food item, handling and supervision of the expressed milk is the sole responsibility of the nursing mother. Each nursing mother is responsible for proper storage of the expressed milk using personal storage coolers or department/unit refrigerators if available. If milk is stored in a department or unit refrigerator, the nursing mother is encouraged to label it to avoid confusion. (US 4/15)

This policy is in accordance with Section 4904 of the Affordable Care Act, codified at 29 U.S.C. § 207(r).

98. Faculty and Academic Staff: Employment Interviews
   a. Guidelines
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Implementation Date: July 2015 publishing of the FASRP

Signed: Geoffrey Peterson
       Chair of the Faculty Personnel Committee

Signed: Katie Wilson
       Chair of the Academic Staff Personnel Committee