

Policy

Lactation Breaks

NSWHP_PD_018

1. Purpose

The purpose of this policy is to support NSW Health Pathology employees who want to breastfeed while at work by providing lactation breaks to breastfeed their child or express breast milk.

2. Scope

This policy applies to all NSW Health Pathology employees.

3. Background

This policy has been developed to support and encourage breastfeeding in accordance with the [NSW Health Policy Directive Breastfeeding in NSW: Promotion, Protection and Support PD2018_034](#).

4. Policy Statement

4.1 Lactation Breaks

Employees who return to full-time work after the birth of a child, and who wish to breastfeed or express milk, may be permitted, with the agreement of their manager, to take up to a total of one hour as a paid lactation break during each 8 hour working day.

The one hour paid lactation break is in addition to any paid breaks the employee is entitled to under any applicable industrial instrument or award. The lactation break may be taken as one or more breaks up to a total of one hour.

Employees who return to part-time work may take lactation breaks on a pro rata basis based on their hours of work.

The lactation break includes travel time for staff who choose to take the break outside the workplace.

4.2 Timing of Lactation Breaks

The timing of lactation breaks should be agreed between the employee and their manager.

Lactation breaks may be taken, by agreement, when other official breaks do not occur at a time that is suitable to the employee to breastfeed or express milk.

Lactation breaks should generally not be taken in conjunction with a paid meal break.

4.3 Location of Lactation Breaks

Whenever possible, NSW Health Pathology will provide a lockable, dedicated space for breastfeeding/expressing breast milk that is private and in an accessible location with the following amenities:

- a) Seating
- b) A table or bench
- c) A power point
- d) A bin, paper towels and antibacterial spray
- e) Facilities for washing/drying hands and equipment
- f) A suitable refrigerator
- g) A means of reserving the room in advance.

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5. Roles and Responsibilities

5.1 Managers

It is the responsibility of managers to:

- a) Discuss a request for a lactation break with the employee and agree on a suitable time and place in the workplace for the employee to take breaks to breastfeed/express milk
- b) Ensure that the facilities set out in this policy are available to any employee who has sought agreement to take lactation breaks after returning to work after the birth of a child.

5.2 Employees

It is the responsibility of employees to:

- a) Advise their manager if they would like to take breaks to breast feed/express milk
- b) Reserve the dedicated space for breastfeeding/lactation in advance
- c) Clearly label and date all containers that contain breastmilk and remove them as necessary from the room/ refrigerator
- d) Remove items such as soiled nappies from the breastfeeding/lactation room.

6. Legal and Policy Framework

6.1 Related Legislation

[Sex Discrimination Act 1984 \(Commonwealth\)](#)

[Anti-Discrimination Act 1997 \(NSW\)](#)

6.2 Related Policy

[NSW Health Breastfeeding in NSW – Promotion, Protection and Support Policy Directive PD 2018_034](#)

[NSW Health Maternity – Breast Milk: Safe Management Policy Directive PD2010_019](#)

7. Review

This procedure will be reviewed by 30/06/2021.

8. Risk

Risk Statement	If employees who wish to breastfeed/express milk after returning to work are prevented from doing so this could lead to distress/industrial unrest/claims of discrimination.
Risk Category	Workforce

9. Further Information

For further information, please contact:

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10. Version History

The approval and amendment history for this document must be listed in the following table.

Version No	Effective Date	Approved By	Approval Date	Policy Author	Risk Rating	Sections Modified
V1.0	26/06/2019	Transformation Governance Committee	26/06/2019	Victoria Hiley	Low	New Policy.