

Title: #VIII-6. Support for Lactation Needs

Date: September 22, 2023 (Replaces version dated August 31, 2018)

See Answer Book Policy [#IV-3 - Notice of Non-discrimination](#)

A. Introduction

As set forth in institutional [Policy A-63](#), *Rights of Pregnant and Nursing Mothers*, West Virginia University Parkersburg is committed as an employer and an educational institution to ensuring the protection, equal treatment and support of nursing mothers. All faculty, staff and administrators will assist in providing a positive atmosphere of support for breastfeeding employees and students.

B. Breast Feeding

Pursuant to [W.Va. Code § 16-1-19](#), a mother has the right to “breast feed a child in any location open to the public.” A space is provided on the main campus for a student who prefers added privacy to feed her infant or who may find that location convenient for expressing milk.

C. Employee Break Time

WVUP will “provide a reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child’s birth each time such employee has need to express the milk,” in accordance with the [Fair Labor Standards Act](#) (FLSA) as revised in 2010. Employees may breastfeed or express milk during work hours using their normal breaks and meal times. For time that may be needed beyond the usual break times, nonexempt employees may make up the time with a flexible schedule arranged between the employee and supervisor or use annual leave time.

D. Space to Accommodate Pumping

1. Employees and students who have the need to express breast milk while on campus will be given access to a suitable room—one that is not a restroom, but is private, sanitary, protected from intrusion by others, located near a sink with running water for washing hands and rinsing out breast pump parts, and has an electrical outlet. If employees prefer, they may breastfeed or express milk in their own private offices, or in other comfortable locations agreed upon in consultation with the employee’s supervisor.
2. Although not required by law to create a permanent, dedicated space for use by nursing mothers, WVUP has established a dedicated lactation lounge at the main campus, available exclusively to lactating employees and students. Individuals may request access

to the lactation lounge by email to LactationLounge@wvup.edu or in person through the Center for Student Support Services or the Human Resources Office. Breastfeeding mothers will be provided key card access to the room, instructions for coordinating with the schedules of other users, and a copy of this document, Answer Book #VIII-6.

E. Mothers' Responsibilities

1. Employees who wish to express milk during the work period shall keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the department.
2. Students who wish to express milk during the time they are on campus will seek assistance from academic advisors in arranging a schedule to accommodate their academic and personal needs.
3. Mothers are responsible for keeping milk expression areas clean, using sanitizing wipes to clean the table surface and generally keeping the lactation lounge or other areas used for expressing milk reasonably clean for others.
4. Each mother is responsible for proper storage of her milk using the refrigerator provided or personal storage cooler. When storing milk in the lactation lounge, mothers should label all milk expressed with their name and date collected, so it will not be inadvertently confused with another mother's milk, and remove it before leaving campus on the same day.

F. Harassment, Retaliation, and Reporting

1. Harassment, discrimination or retaliation toward any member of the WVUP community based on sex, including pregnancy or related conditions and parental status, is expressly prohibited by [Policy A-63](#), *Rights of Pregnant and Nursing Mothers*, [Policy A-34](#), *Equal Opportunity, Affirmative Action and Nondiscrimination*, and [Policy A-44](#), *Sexual Misconduct and Other Forms of Discrimination and Harassment*.
2. In accordance with Policy A-63, faculty, staff, and other WVUP employees are prohibited from interfering with an employee's or student's right to take leave, seek reasonable accommodation, or otherwise exercise their rights under the institution's nondiscrimination policies.
3. [Policy B-62](#), *Mandatory Reporters*, establishes that any employee of WVUP who receives a report of discrimination on the basis of sex (which includes pregnancy or related conditions) is responsible for promptly forwarding such report to the Title IX Coordinator.

G. Complaints

1. Complaints of discrimination, harassment or retaliation may be filed with the WVUP Title IX Coordinator:

Executive Director of Human Resources & Compliance
West Virginia University at Parkersburg
300 Campus Drive
Parkersburg, WV 26104
E-mail: socialjustice@wvup.edu
Telephone: (304) 424-8212
FAX: (304) 424-8302

2. Complaints may also be filed (under Title IX) with the U.S. Department of Education, Office for Civil Rights:

Office for Civil Rights
U.S. Department of Education
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
Telephone: 215-656-8541
FAX: 215-656-8605; TDD: 877-521-2172
Email: OCR_Philadelphia@ed.gov
Website: www2.ed.gov/about/offices/list/ocr/index.html

3. Employees may also file complaints (under Title VII or other employment laws) with the U.S. Equal Employment Opportunity Commission:

United States Equal Employment Opportunity Commission
801 Market Street, Suite 1300
Philadelphia, PA 19107-3127
Telephone: 866-408-8075
Fax: 215-440-2606
TTY: 800-669-6820
Website: www.eeoc.gov/

Responsible Administrator: Executive Director of Human Resources & Coordinator, 304-424-8212