



Nursing Mothers in the Workplace Policy

Approved: April 30, 2018  
Implemented: May 2, 2018

Revised Effective: September 12, 2019

**A. OVERVIEW**

In accordance with applicable law, the Cook County (“County”) Bureau of Human Resources (“BHR”) will make reasonable accommodations for lactating employees and applicants, as necessary.

**B. INTENT**

This policy is intended to be interpreted consistent with and subject to applicable law. It supersedes all previous policies and/or memoranda that may have been issued from time to time on subjects covered in this policy. This policy is not intended to supersede or limit the County from enforcing provisions in any applicable collective bargaining agreement. Should any provision in this policy conflict with a specific provision in the Personnel Rules, the provision(s) in this policy shall take precedence.

**C. SEVERABILITY**

If any section or provision of this document should be held invalid by operation of law, none of the remainder shall be affected.

**D. JURISDICTION**

BHR is authorized to develop and issue policies for the effective management of County employees, pursuant to Section 44-45 of the Cook County Code of Ordinances.


**E. AREAS AFFECTED**

This policy applies to all County employees and applicants in Bureaus and Departments in the Offices under the President and/or covered by the Cook County Employment Plan.

**F. NONDISCRIMINATION**

Cook County prohibits the discriminatory application, implementation, or enforcement of any provision of this policy on the basis of race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, housing, or any other protected category established by law, statute or ordinance, as provided in Section 44-53 of the Cook County Code of Ordinances.

Additionally, Cook County shall not discipline, fire, refuse to hire, deny benefits, or retaliate against an individual because she is lactating, or because she requests accommodation(s), participates in an approved accommodation, or otherwise engages in protected conduct under this policy related to breastfeeding or expressing breast milk.

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**G. EMPLOYEE, MANAGEMENT AND APPLICANT RESPONSIBILITIES**

Employees are expected to communicate their need for accommodation(s) for lactation purposes to their supervisor and/or the Equal Employment Opportunity (EEO) Officer, and to engage in a good faith exchange with their supervisor and/or the EEO Officer to determine a reasonable accommodation.

Supervisors and Managers are expected to engage in a good faith exchange with the individual and/or the EEO Officer to determine a reasonable accommodation, and to provide temporary accommodation(s) as necessary.

Applicants should inform the Recruiter of any need of an accommodation. While the Recruiter may discuss the accommodation with the EEO Office as necessary, in no event should the Recruiter disclose the accommodation to the hiring department or interview panel.

The County’s EEO Officer will promptly respond to accommodation requests and monitor County practices to ensure compliance with this policy. Any questions or complaints concerning this policy should be directed to, and will be addressed by, the EEO Officer.

**H. POLICY AND PROCEDURES**

Cook County shall provide reasonable accommodation(s) to individuals that are lactating, as necessary. Employees are encouraged, though not required, to comply with the following procedures.

1. **Request.** An individual seeking reasonable accommodation(s) pursuant to this policy may submit a completed Lactation Accommodation Request Form to the County’s EEO Officer, at least thirty (30) days in advance, if practicable. Employees are encouraged (but not required) to consult with their supervisor and/or the EEO Officer prior to submitting their request. Such request should address, at a minimum, the individual’s anticipated needs for break time, space, and storage, as applicable.
2. **Break Time.** The County shall provide reasonable paid break time, as necessary, for up to one year after the baby’s birth, to allow an employee to breastfeed or express breast milk. During such break time, an employee will be completely relieved from duty. The break time may run concurrently with any break time already provided to the employee.

The number and duration of breaks needed for these purposes vary, and will be determined by each employee, in consultation with their supervisor and/or the EEO Officer. Factors to consider may include, but are not limited to:

- The age of the baby and the number of breast feedings in the baby’s normal schedule, and whether the baby is eating solid food;
- The time it takes to walk to and from the lactation space and the wait, if any, to use the space;



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- Whether the individual has to retrieve her pump and other supplies from another location; and,
- The time it takes for the individual to store her milk either in a refrigerator or personal cooler.

Breaks to breastfeed or express breast milk will not be counted against an employee's FMLA leave entitlement.

Extra breaks may be denied if they cause an undue hardship to the department.

3. **Space.** If an employee prefers, the employee may breastfeed or express milk in the employee's private office space. Alternatively, an employee may use the designated location in closest proximity to the employee's work location for breastfeeding or expressing breast milk, which currently include the following:

- Bridgeview Courthouse, 10220 S. 76th Ave. (Bridgeview), Room 250
- County Building, 118 N. Clark St. (Chicago), Room 881
- Criminal Court Building, 2650 S. California Ave. (Chicago), 7th floor; Large Jury Room, 2<sup>nd</sup> Floor; Lobby, Room 102A (public)
- Dunne Building, 69 W. Washington St. (Chicago), 22<sup>nd</sup> floor
- Juvenile Temporary Detention Center, 1100 S. Hamilton Ave. (Chicago), Room G013DS
- Markham Courthouse, 16501 Kedzie Ave. (Markham), Room 029
- Maywood Courthouse, 1500 Maybrook Dr. (Maywood), Room 200
- Rolling Meadows Courthouse, 2121 Euclid Ave. (Rolling Meadows), Room 029
- Skokie Courthouse, 5600 Old Orchard Rd. (Skokie), Rooms 156 and 200

If an employee lacks private office space or is unable to access a designated location for breastfeeding or expressing breast milk as needed, the County shall provide a private place that is shielded from view and free from intrusion (not a bathroom or toilet stall), if requested, to allow the individual to breastfeed or express breast milk. Such place will be well lit at all times through natural or artificial light. If it has a window, it shall be covered with a curtain, blind, or other covering to ensure privacy. It will have a door equipped with a functional lock, and an electrical outlet. It will contain, at minimum, a chair and small table, desk, counter or other flat surface (not the floor).

The County shall maintain cleanliness and sanitation of the locations set aside for purposes under this policy.

4. **Storage.** As needed, an individual may discuss storage of expressed breast milk during the reasonable accommodation(s) process. At a minimum, the County will allow an individual to bring a pump and an insulated container to work for expressing and storing the milk and ensure there is a place where the individual can store the pump and insulated container while she is at work. Alternatively, an employee may choose to store expressed



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breast milk in an existing refrigerator or other place where employees store their lunches or food. Other employees may not tamper with clearly labeled breast milk containers.

5. **Notice.** Once a determination is made, the EEO Office shall immediately notify the employee of the decision, using the Cook County Lactation Accommodation Determination Notice. Copies of the Determination Notice shall be distributed to the individual making the request, his/her department head (or designee), and the manager of the designated location for breastfeeding or expressing milk, if applicable.
6. **Changes.** An employee may change the frequency and duration of breaks she has scheduled pursuant to this policy, as well as the location for such breaks, and communicate storage needs, by notifying her supervisor and/or the EEO Officer, as necessary.

**I. CONFIDENTIALITY**

Cook County maintains confidentiality of information, to the extent required by applicable law.



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**APPENDIX A**

NURSING MOTHERS IN THE WORKPLACE ACCOMMODATION REQUEST FORM



**COOK COUNTY BUREAU OF HUMAN RESOURCES**  
**NURSING MOTHERS IN THE WORKPLACE ACCOMMODATION REQUEST FORM**

Employee's Name (Last, First, MI): \_\_\_\_\_

ID #: \_\_\_\_\_ Job Title: \_\_\_\_\_ Department Name \_\_\_\_\_

Contact #: \_\_\_\_\_ Email: \_\_\_\_\_

Supervisor's Name: \_\_\_\_\_ Supervisor's Contact #: \_\_\_\_\_

Requested Accommodation: \_\_\_\_\_

Anticipated Accommodation Duration: \_\_/\_\_/\_\_ until \_\_/\_\_/\_\_ Requested # of Breaks per Day: \_\_\_\_\_

Primary Designated Lactation Station: \_\_\_\_\_

Alternate Designated Lactation Station: \_\_\_\_\_

Approximate Lactation Break Schedule Times:

Monday	
Tuesday	
Wednesday	
Thursday	
Friday	
Saturday	
Sunday	

By my signature, I acknowledge that I have read and understand the County's Nursing Mothers in the Workplace Policy.

Employee Signature:	Date:
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Supervisor Name (Print):	Supervisor Signature:	Date Received:
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APPROVED:  DENIED:

COMMENTS: \_\_\_\_\_

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