

# Human Resources Policy

Commonwealth of Pennsylvania  
Office of Administration

## Nursing Parents Rooms

**Number**  
HR-WS001

**Effective Date**  
March 1, 2023

**Category**  
Workforce Support

**Supersedes**  
All Prior Versions

**Contact**  
717.787.8575

**Scheduled Review**  
March 2024

### 1. Purpose

To establish a Commonwealth-wide policy to accommodate employees who are nursing parents and who wish to express milk while at work.

### 2. Scope

This Human Resources Policy (HRP) applies to all departments, offices, boards, commissions, and councils under the Governor's jurisdiction for human resources management (collectively "agencies").

### 3. Background

The Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act) amended Section 7 and added Section 18D to the Fair Labor Standards Act (FLSA) 29 U.S.C. §§ 201-219. The PUMP Act requires that employers provide reasonable break time for an employee to express milk for a nursing child for two (2) years after the child's birth each time such employee has need to express milk. The PUMP Act also requires that employers provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express milk. Additionally, the Act requires employees to notify their employer of a failure to provide a suitable location to express milk and to allow ten (10) calendar days after such notification for the employer to come into compliance.

This Administration is committed to supporting parents that are breastfeeding or chestfeeding their child and recognizes that many

agencies have already established Nursing Parents Rooms, while others have accommodated nursing parents on a case-by-case basis in the past. This policy is to remind agencies of the guidelines that they are to use when establishing Nursing Parents Rooms to ensure compliance with the law.

#### **4. Policy**

The Secretary of the Office of Administration hereby directs Commonwealth agencies to identify and establish Nursing Parents Rooms and treat employee time to express milk as follows:

- a.** A private space must be made available to nursing parents to express milk. This space cannot be a restroom. The space must be free from intrusion of coworkers and the public and include a door with a lock.
- b.** The space shall provide adequate lighting, ventilation, seating, a sink and an electrical outlet. If a space meeting these exact specifications is not available, the agency may identify a space such as a vacant office or conference room that could provide the necessary privacy.
- c.** Agencies that need assistance in finding appropriate space should contact the [building manager](#) (for state owned buildings) or the Department of General Services' Bureau of Real Estate at 717.787.4394 or [gs-realestate@pa.gov](mailto:gs-realestate@pa.gov) (for leased buildings).
- d.** Nursing parents that have requested the use of a private space to express milk and have not been provided adequate space as outlined in Section 4.b. of this HRP shall notify the Bureau of Workforce Support (BWS) at 717.787.8575 or [ra-workplacesupportservices@pa.gov](mailto:ra-workplacesupportservices@pa.gov). The agency shall have up to ten (10) calendar days after the nursing parent's contact with BWS to come into compliance.
- e.** Managers and supervisors must allow employees to adjust their break times and meal periods, as needed, to express milk. Limitations that apply to those employees expressing milk beyond two (2) years after the child's birth may be issued by agencies based on operational requirements.
- f.** Additionally, managers and supervisors should be cognizant that based on factors such as the proximity of the nearest Nursing Parents Room to an employee's work location, there may be

instances when an employee needs time in excess of their break and/or meal period to express milk. In such cases, the employee shall not be required to utilize leave.

Nothing in this HRP shall be construed to impair or otherwise affect the authority by law to an executive department, agency, or the head thereof. This HRP is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth of Pennsylvania, its departments, agencies, or entities, its officers, employees, or agents or any other person.

Should you have any questions or require additional assistance related to the implementation of this policy, please contact the Bureau of Workforce Support at 717.787.8575.

**5. Effective Date**

The Effective Date of this HR Policy is March 1, 2023.

**6. Related References**

Commonwealth policies, including Executive Orders, Management Directives, IT Policies, and HR Policies are published on the [Office of Administration's public portal](#).

**7. Publication Version Control**

It is the user's responsibility to utilize the latest version of this publication, which appears on the [OA Human Resources website](#) for Commonwealth personnel and on the Office of Administration public portal. Questions regarding this publication are to be directed to 717.787.8575.

This chart contains a history of this publication's revisions:

Version	Date	Purpose of Revision
Original	2/14/2018	Base Document
Revision	1/25/2022	Updates throughout policy section
Revision	3/1/2023	Updated to comply with the PUMP Act.