



Employee Breastfeeding Policy

1. Background

The WA Country Health Service (WACHS) recognises the importance of breastfeeding for both the mother and infant and acknowledges its short and long-term health benefits.

WACHS is committed to providing a workplace environment that will assist employees to balance their work and family responsibilities. As part of this commitment, WACHS supports employees who are breastfeeding by providing:

- flexible work options to employees
- a work environment that supports breastfeeding
- wherever reasonably practicable, breastfeeding facilities and resources in or near the workplace.

This policy:

- clarifies breastfeeding break requirements
- details employee and manager responsibilities
- requires finalised breastfeeding agreements to be forwarded to your local Human Resources team for evaluation and reporting purposes.

This policy is different and additional to the requirements under the WACHS [Caring for Children in the Workplace Policy](#).

2. Policy Statement

The WACHS recognises the importance of breastfeeding for both the mother and infant and acknowledges its short and long-term health benefits.

This breastfeeding policy is for employees who are breastfeeding or expressing breast milk.

Under both the Federal *Sex Discrimination Act 1984* and the *Equal Opportunity Act 1984*, it is unlawful to discriminate on the grounds of breastfeeding.

3. Definitions

Breastfeeding	For the purposes of this policy, this includes the physiological process of milk being produced to breastfeed or express breast milk for an infant or young child (up to two years of age).
Caregiver	A caregiver is any person who assumes responsibility for bringing an infant or young child (up to two years of age) onto WACHS premises with the intent of delivering the infant or young child to an employee for the purpose of breastfeeding.

Breastfeeding Breaks	Breastfeeding breaks are paid breaks negotiated between the employer and employee for the sole purpose of enabling an employee to express breast milk or breastfeed an infant or young child (up to two years of age (refer to section 4 for further details) off site or at the workplace.
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4. Breastfeeding Arrangements and Facilities

4.1 Breastfeeding break arrangements

Employees requesting to access this benefit are to be provided with no more than two breastfeeding breaks of up to 30 minutes each (a total of 60 minutes) per 7.5, 7.6 or 8 hour shift.

Employees working greater shift lengths are to be provided, where required, an additional break of up to 30 minutes.

Employees working less than a 7.5, 7.6 or 8 hour workday are to be assessed on a case-by-case basis according to the circumstances.

Where the child or infant is breastfed offsite, the breastfeeding break is inclusive of the time needed to travel directly to and from the agreed location. Where this cannot be achieved within the break of 30 minutes, alternative arrangements may be negotiated. For example, breastfeeding breaks can be taken in addition to meal breaks.

4.2 Requesting a breastfeeding arrangement

Employees wishing to breastfeed or express breast milk should discuss their requirements with their manager.

Managers must give due consideration to all requests and, in consultation with the employee, consider ways to accommodate them and where reasonably practicable, implement appropriate arrangements. When negotiating the breastfeeding arrangement, consideration is to be given to:

- the employee's needs
- the organisation's service delivery requirements, in particular, client service/patient care issues
- appropriate coverage for employees while they are on breastfeeding breaks if required
- relevant safety factors (refer to section 5).

At the time of negotiating a breastfeeding arrangement, the manager and employee must discuss and agree on:

- the frequency, duration and timing of breastfeeding breaks – where agreed between parties, breastfeeding breaks can be added to other forms of leave such as flexi leave or meal breaks

- the most suitable location to be used for breastfeeding or expressing milk and take into account issues such as travel time to and from the location and how this will be managed (refer to section 4.3 below)
- employee and manager responsibilities (refer to section 5)
- scheduled review date/s (arrangements must be reviewed and revised where any change of circumstances result in a change to the agreement (subject to appropriate notification and renegotiation by both parties)).

Decisions made regarding requests for breastfeeding breaks must be impartial, transparent and capable of review. Where, having considered all options, a manager anticipates that it will not be possible to accommodate breastfeeding breaks, advice must be sought from your local Human Resources team.

The agreed breastfeeding arrangement must be documented, signed and dated by both the manager and employee. See Appendix 1: [Breastfeeding Agreement](#). A copy of the agreement is to be retained by each party with the manager forwarding an additional copy to your Human Resources team for evaluation and reporting purposes. Breastfeeding agreements are to be stored in a secure location in accordance with record keeping requirements.

4.3 Breastfeeding Facilities

WACHS sites are to endeavour to provide reasonable access to a clean, hygienic and private area for the purpose of breastfeeding or expressing milk. The facilities provided for breastfeeding or expressing milk will vary according to the needs of the employee and the availability of space in the workplace.

In consultation, the employee and manager are to identify practical and reasonable ways to meet the employee's needs for access to:

- a lockable area that is clean, hygienic and private
- a power point for breast pumps and other equipment
- comfortable seating
- a clean and private storage area for breast pumps and other equipment
- access to a staff refrigerator / freezer for storing milk
- access to a sink with hot water for washing hands and equipment.

It is not appropriate for employees to breastfeed or express breast milk in toilet facilities.

Equipment required for expressing milk is to be provided by the employee and stored at their own risk.

Where it is not practicable to provide these facilities, the manager and the employee should explore reasonable alternatives such as:

- using suitable workplace facilities provided by another Government department or agency
- using a carers room, parents room or similar facilities located off-site
- going home or to a caregiver's home or accessing a child care centre.

5. Roles and Responsibilities

Managers and employees are required to consider relevant safety factors when an employee requests a breastfeeding arrangement. This includes the types of issues that might arise and how they will minimise or eliminate these where reasonable and practicable to do so.

5.1 Employee responsibilities

The **employee** has a responsibility to ensure:

- that stored breast milk is properly secured, labelled and safely stored in a sealed receptacle
- universal precautions such as washing hands, hygienic nappy changing and disposal, ensuring the workplace facility is left clean and tidy and infection control procedures are followed
- participation in the development of a risk assessment if requested by the manager
- they monitor the increased risk of illness or infection in the work environment and where appropriate, make alternative arrangements
- they do not allow an ill infant or young child to enter the workplace.

In addition, the **employee** is responsible for ensuring the **caregiver**:

- respects the privacy of patients that they may see or hear in the workplace
- is aware their access to the workplace is restricted to delivering an infant or young child to an employee for the purpose of breastfeeding
- takes the infant and/or young child directly to the designated breastfeeding facility
- avoids environments in the workplace where there is a risk of cross infection or injury
- vacates the workplace with the infant(s) and/or young child at the completion of each breastfeeding break
- supervises the infant(s) and/or young child at all times in the workplace.

5.2 Manager's responsibilities

Managers are required to consider relevant safety factors when an employee requests a breastfeeding arrangement. Managers are to consult with the employee to consider the types of issues that might arise under a breastfeeding arrangement and how they will minimise or eliminate these issues where reasonable and practicable to do so.

6. Queries and Advice

For queries or advice, contact your local Human Resources team.

Employees who wish to raise an issue about their breastfeeding arrangement should contact their manager or refer to grievance resolution processes.

7. Compliance

Failure to comply with this policy may constitute a breach of the WA Health Code of Conduct (Code). The Code is part of the [Employment Policy Framework](#) issued pursuant to section 26 of the [Health Services Act 2016](#) (HSA) and is binding on all WACHS staff which for this purpose includes trainees, students, volunteers, researchers, contractors for service (including all visiting health professionals and agency staff) and persons delivering training or education within WACHS.

WACHS staff are reminded that compliance with all policies is mandatory.

8. Evaluation

Evaluation of this policy is to be carried out by the Director Human Resources Services every five years (or earlier as required).

9. Standards

[National Safety and Quality Health Care Standards](#) – 1.1
[EQulPNational Standards](#) – 15.5

10. Legislation

Public Sector Management Act (1994) (WA) (as amended)
Equal Opportunity Act (1984) (WA) (as amended)
Sex Discrimination Act (1984) (Commonwealth) (as amended)
Occupational Safety and Health Act (1984)

11. References

[Australian Breastfeeding Association Website](#)
[Baby Friendly Health Initiative, Department of Health, Western Australia Website](#)
[Department of Commerce Family Friendly Workplaces Website](#)
[Department of Health – Australian National Breastfeeding Strategy 2010 - 2015](#)

12. Related Policy Documents

[WACHS Children in the Workplace Policy](#)

13. Related WA Health Policies

[WA Health Baby Friendly Health Initiative: Hospital Breastfeeding Policy](#)
[WA Health Equal Opportunity and Diversity Policy](#)
[WA Health Flexible Working Arrangements Policy](#)
[WA Health Employee Grievance Resolution Policy](#)

14. WA Health Policy Framework

[Employment Policy Framework](#)

15. Appendix

Appendix 1: [Breastfeeding Agreement](#)

**This document can be made available in alternative formats
on request for a person with a disability**

Contact:	A/Director HR Services (A.Manley)		
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Appendix 1:

Breastfeeding Agreement

Between:

.....
Name of Employee

.....
Position Title, Work Unit and Region

and:

.....
Name of Manager

.....
Region and Site

The purpose of this agreement is to outline work and breastfeeding arrangements agreed between the above parties. The agreement is based on the WACHS Employee Breastfeeding Policy (copy attached).

Agreed arrangements for breastfeeding breaks are as follows:

Commencement Date:

Scheduled Breastfeeding Agreement Review Dates:

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1. Location of employee for duration of breastfeeding breaks:

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Where breaks are taken away from the workplace, insert home address, address of childcare centre, etc.

2. Frequency of breastfeeding breaks:

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The frequency of breastfeeding breaks is to be negotiated between the employee and supervisor and in accordance with section 4 of the WACHS Employee Breastfeeding Policy.

3. Times of Breaks (include information about alternative arrangements):

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4. Additional Comments (including employee requirements and/or safety requirements in accordance with section 5 of the WACHS Employee Breastfeeding Policy):

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Agreement

We have read and understand the arrangements detailed in this agreement and agree to act in accordance with the WACHS Employee Breastfeeding Policy. We acknowledge that this agreement must be reviewed at the scheduled breastfeeding agreement review dates (see above) and ensure consideration is given to the operational effectiveness of the agreement including impacts on the region, the work unit and the individual employee.

.....
Employee Signature

.....
Date

.....
Manager 's Signature

.....
Date

Completion Date:
(Manager to record date when arrangements are no longer required)

Recordkeeping reminder: A copy of the agreement is to be retained by each party with the manager forwarding an additional copy to your local Human Resources team for evaluation and reporting purposes.