

WORKSITE LACTATION PROGRAM

I. Purpose

This Directive establishes the Department of Homeland Security (Department or DHS) policy for worksite lactation programs.

II. Scope

This Directive applies throughout DHS, unless exempted by statutory or federal regulatory authority.

III. Authorities

- A. Fair Labor Standards Act of 1938 , Section 7(r) (codified, as amended at title 29, United States Code (U.S.C.) § 207)
- B. U.S. Office of Personnel Management (OPM) Memorandum for Heads of Executive Departments and Agencies, [Nursing Mothers in Federal Employment](#), December 22, 2010
- C. General Services Administration (GSA) Memorandum for all Facilities Management and Services Program Directors, [Nursing Mother Space in Federal and Leased Space](#), February 15, 2011
- D. OPM [Guide for Establishing a Federal Nursing Mothers Program](#), January, 2013

IV. Responsibilities

- A. **DHS Chief Human Capital Officer (CHCO)** establishes Departmental policy and guidance on worksite lactation in a manner consistent with guidelines prescribed by OPM, GSA, and applicable statutes.
- B. **Component heads** ensure employees who need to express breast milk are provided reasonable time and private space for this purpose.

C. **Executive Director, Headquarters Human Resources Management and Services (HRMS)** assumes the responsibilities listed under section IV.B. for all Support Components with the exception of the National Protection and Programs Directorate (NPPD), Office of Inspector General (OIG), and the Federal Law Enforcement Training Center (FLETC).

D. **Heads of NPPD, OIG, and FLETC** assume the responsibilities listed under section IV.B. for their respective Support Components.

V. Policy and Requirements

A. **Policy**: It is DHS policy to support maternal and child health by enabling employees to continue breastfeeding, if they so choose, when they return to work after the birth of a child.

B. **Procedures**:

1. The goals of the DHS Lactation Program procedures are to:
 - a. Provide private space for DHS employees who are nursing mothers to express breast milk; and
 - b. Ensure that DHS employees who are nursing mothers have reasonable time during the workday to express breast milk.
2. Components provide temporary and/or permanent space appropriate for worksite lactation for any employee who chooses to continue breastfeeding after returning to work. A bathroom is not appropriate space for this purpose. The space provided is private; shielded from view and free from intrusion.
3. Components provide reasonable break time for employees to express breast milk. Flexibility in meeting this need is encouraged. Managers may use their discretion in enabling employees to use existing break time, flexible schedules, credit hours, compensatory time off, and, where absolutely necessary, annual leave or leave without pay in order to meet the need.

VI. Questions

Address any questions or concerns regarding this Directive to the Office of the Chief Human Capital Officer.



Russell C. Deyo
Under Secretary for Management



Date