

RESOLUTION NUMBER R17-024

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAFFORD,
GRAHAM COUNTY, ARIZONA, NURSING MOTHERS.**

WHEREAS, the City Council wishes to establish a Nursing Mothers Policy; and,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SAFFORD, that staff shall establish a Nursing Mothers Policy as follows; and further, all previous resolutions or statements of policy concerning the Nursing Mothers Policy hereby rescinded and superseded by this resolution. Updates will be as follows:

PURPOSE

The City of Safford establishes this policy in accordance with the Patient Protection and Affordable Care Act (P.L. 111-148) and the Fair Labor Standards Act of 1938 (29 U.S.C. 207) Section 7(r) for nursing mothers employed by the City of Safford.

Policy

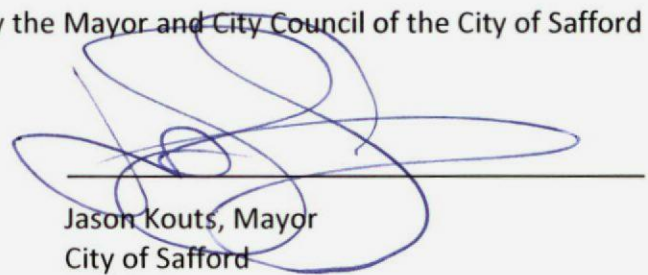
Reasonable break times will be allotted for an employee to express breast milk for her nursing child for up to one (1) year after the child's birth. The frequency of these breaks will be as needed by the nursing mother. Additionally, a private place free from intrusion will be provided at the worksite for the employee during this timeframe. (Bathrooms are specifically excluded as an appropriate location).

Employers are not required under FLSA to compensate nursing mothers for breaks taken for expressing milk. However, where employers already provide compensated breaks, an employee who uses that break time to express milk must be compensated in the same way that other employees are compensated for break time. In addition, the FLSA's general requirement that the employee must be completely relieved from duty or else the time must be compensated as work time applies.

REFERENCE

Department of Labor – www.dol.gov/whd/nursingmothers/41-1443. Breast-feeding; public place; public accommodation
13-1402. Indecent exposure; exception; classification

PASSED, ADOPTED, AND APPROVED by the Mayor and City Council of the City of Safford this 13th day of November, 2017.



Jason Kouts, Mayor
City of Safford

ATTEST:

Tamara Webster
Tamara Webster
Deputy City Clerk

APPROVED AS TO FORM:

William J. Sims
William J. Sims, III
City Attorney

State of Arizona)
) ss
County of Graham)

CERTIFICATION

I HEREBY CERTIFY, that the foregoing Resolution Number R17-024 was duly passed and adopted by the Mayor and City Council of the City of Safford, Graham County, Arizona, at a Council Meeting held November 13, 2017, and that a quorum was present at the meeting.

Tamara Webster
Tamara Webster, Deputy City Clerk

November 13, 2017
Date: