

JUN 27 2016

Approved

**REQUEST FOR AGENDA PLACEMENT FORM**

Submission Deadline - Tuesday, 12:00 PM before Court Dates

**SUBMITTED BY:** Randy Gillespie      **TODAY'S DATE:** June 21, 2016

**DEPARTMENT:** Personnel

**SIGNATURE OF DEPARTMENT HEAD:** *Randy Gillespie*

**REQUESTED AGENDA DATE:** June 27, 2016

**SPECIFIC AGENDA WORDING:** Consideration to amend Employee Break Policy due to the Patient Protection and Affordable Care Act to include reasonable breaks for nursing mothers.

**PERSON(S) TO PRESENT ITEM:** Randy Gillespie

**SUPPORT MATERIAL:** (Must enclose supporting documentation)

<b>TIME:</b> 5 minutes	<b>ACTION ITEM:</b> <u>  X  </u>
	<b>WORKSHOP:</b> _____
(Anticipated number of minutes needed to discuss item)	<b>CONSENT:</b> _____
	<b>EXECUTIVE:</b> _____

**STAFF NOTICE:**

<b>COUNTY ATTORNEY:</b> _____	<b>IT DEPARTMENT:</b> _____
<b>AUDITOR:</b> _____	<b>PURCHASING DEPARTMENT:</b> _____
<b>PERSONNEL:</b> _____	<b>PUBLIC WORKS:</b> _____
<b>BUDGET COORDINATOR:</b> _____	<b>OTHER:</b> _____

\*\*\*\*\*This Section to be Completed by County Judge's Office\*\*\*\*\*

ASSIGNED AGENDA DATE: \_\_\_\_\_

REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE \_\_\_\_\_

COURT MEMBER APPROVAL \_\_\_\_\_ Date \_\_\_\_\_

JUN 27 2016

**Amendment to Employee Handbook, Section II, Work Schedule and Workweek, item #3**

**3. Lunch/Rest Breaks.** Normal lunch breaks are 1 hour and are unpaid. One paid rest break not to exceed 15 minutes in duration may be taken during the first half of the workday and one paid break of equal duration may be taken during the second half of the workday. Frequency and duration of breaks are determined by departmental needs and will be set by the Elected Official or Department Head. The breaks may not be accumulated or used for time off. The Fair Labor Standards Act does not require any breaks given other than for nursing mothers, however if paid breaks are provided for employees, nursing mothers must be given the same amount of paid break time.

The Patient Protection and Affordable Care Act amended the Fair Labor Standards Act to require reasonable breaks for nursing mothers to express breast milk during the first year following the birth of a child.

Johnson County will provide 2 paid 15 minute breaks daily for nursing mothers. The nursing mother will be allowed whatever time is needed to express breast milk, however, if the break is longer than 15 minutes in duration, the break time will be unpaid time off.

The mother will be given a private location, other than a bathroom. The location will be shielded from view and free from intrusion and appropriate for expressing breast milk. The specific location will be determined on a case by case basis.

Johnson County does not allow any retaliation against nursing mothers for asking for this break. Nursing mothers are entitled to this break for 1 year following the birth of their child.