



Town of Wappinger

20 Middlebush Road
Wappingers Falls, NY 12590

SCHEDULED

RESOLUTION 2025-120

Meeting: 06/09/25 07:00 PM
Department: Town Clerk
Category: Procedures
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Initiator: MinuteTraq Admin
Sponsors:

DOC ID: 6405

Resolution Adopting Policy In Accordance With New York State Labor Law §206-c

WHEREAS, the State of New York and the Federal Government has adopted NY Labor Law §206-c as well as the PUMP Act respectively, and

WHEREAS, the Town has drafted a policy to provide employees of the Town that are nursing mothers with paid break time to express breast milk when they have a reasonable need to do so, and

WHEREAS, at the advice of labor counsel it is recommended that the Town of Wappinger come into compliance with said legislation, and

NOW THEREFORE BE IT RESOLVED, to come into compliance with NY Labor Law §206-c and the federal PUMP Act the Town Board hereby adopts this policy which shall govern in said instances.

NOW THEREFORE BE IT FURTHER RESOLVED, when necessary, this policy may be revisited to determine whether changes to it should be made after such a determination, the Town Board may amend this policy for whatever reason.

TOWN OF WAPPINGER	
Policy Relating to Nursing Mothers Expressing Breast Milk in the Workplace	Revision Date: May 22, 2025

Section 1: Policy

In accordance with NY Labor Law §206-c (and to some extent the federal PUMP Act), it is the policy of the Town of Wappinger (the “Town”) to provide employees of the Town that are nursing mothers with paid break time to express breast milk when they have a reasonable need to do so. Eligible employees will also be provided with a private room or location during the eligible period upon written request. This policy will enumerate the eligibility requirements for paid leave time for a qualifying purpose, the benefits provided, and the applicable procedures that are to be utilized when requesting use of the rights discussed herein.

Section 2: Eligibility

An employee of the Town, who during the period of the applicable request is nursing their child, will be eligible for the benefits provided under this policy regardless of date of hire or employment classification. Eligibility under this policy extends for three-years from the date of birth of the nursing child.

Section 3: Benefits Provided

When providing these benefits does not impose an undue hardship for the Town (in which case reasonable efforts will be made to seek an alternative), this policy provides eligible employees the following benefits:

- 1) Thirty (30) minutes of paid break time while on duty with the Town to express breast milk for their nursing child each time the employee has a reasonable need to express breast milk. Employees will also be permitted to use other available paid break or meal time for time needed in excess of the thirty minute break time provided by this policy. Employees shall not be required to make up the break time that was utilized as a result of expressing breast milk.
- 2) An employer-designated private room or location to utilize for the purpose of expressing breast milk in the workplace. The room or private location will be designated at the time of the request. The room shall not be a restroom or toilet stall. The room or private location chosen will be:
 - Well lit;
 - In close proximity to the employee’s work area;
 - When possible, accessible through a door that can be locked by the employee;
 - Shielded from view; and

- Free from intrusion from other individuals in the workplace.
- 3) Amenities provided in the private room or location will include, at least:
 - A chair;
 - A working surface;
 - When the location or room used has windows, curtains or blinds;
 - Nearby access to clean running water; and
 - If the workplace of the employee is supplied with electricity, an electrical outlet.
 - 4) If refrigeration is available, the employee will be provided access to refrigeration for storage of expressed breast milk. Stored breast milk must be contained in closed containers and brought home each night.

Section 4: Procedure

Employees who are interested in exercising their rights conferred by this policy and applicable law must provide an advanced written request. The following procedures are to be utilized when making a request to utilize the rights enumerated under this policy.

- 1) An employee seeking paid break time for the purpose of expressing breast milk for their nursing child must make a written request to Human Resources that notifies the Town of the need for break time during the eligible period. Such request should be provided as soon as possible, preferably before the return of the nursing employee from any leave time that was taken for the birth of the nursing child. The request should also enumerate the date the employee will need to begin taking break time to express breast milk.
- 2) The request will be responded to by the Town within five business days. In the response, the employee will be notified of the private room or location designated by the employer to be used for expression of breast milk. When determining the room or private location to be designated, the requirements of the statute will be taken into account, as well as the operational needs of the Town. The Town will strive to designate a private room as the location to express breast milk, however it is not guaranteed one will be available. If needed, a private area or cubicle (of seven feet in height with a partition to enclose it) may be utilized. A private room may include a common room that may be used for such break time by locking the door or limiting access of others (by the Town notifying them and posting signs when being used for this purpose) to that room while the employee is expressing breast milk. Should multiple employees seek a location to express breast milk during the same period, the same location may be utilized for both individuals to share at alternating times.
- 3) If a private room is not available at the time of the request, a designated private location will be utilized and reasonable alterations to the area will be made in an attempt to create additional privacy. In the event the location is at risk of being accessed by other individuals, signs will be prepared to notify third parties that they are not to enter that area when the sign is posted. Other employees will also be informed that a common area is being utilized for the purpose of expressing breast milk and they will be notified they are not to enter the designated area when signs are visible.
- 4) Should an employee wish for an alternate location or room, they may submit a written request for an alternative location that explains the reason for the request to Human

Resources. The Town will then notify the employee whether their request is granted or whether the originally designated location will be utilized and if there are any alterations that will be made to the location.

Section 5: Non-Discrimination or Retaliation

Employees that make use of this policy shall not be discriminated against or retaliated against because of the exercise of their rights provided herein. Any employee who believes they are being discriminated against or retaliated against for the use of this policy should report the actions giving rise to such allegations to Human Resources, the employee's immediate supervisor, or the Town Supervisor. Such complaints will be investigated in accordance with the Town's policies.

Section 7: Notice

This policy shall be provided to every employee upon hire, upon their return from leave due to childbirth, and annually.

Section 6: Conclusion

The rights discussed in this policy are available based on the eligibility requirements listed above. Employees who are in need of an area to express breast milk for their nursing child are encouraged to utilize this policy.