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**Guide for Breastfeeding in the Workplace**

Changes to the legislation effective from 28 June 2020 makes provision for an employee who is breastfeeding to request her employer provides facilities for breastfeeding/expressing milk. Discuss with the employee her return to work following a period of parental leave to understand what may be done to assist their return that is both proportionate and reasonable in the provision of facilities, and whether a temporary variation to terms of employment allowing for flexible working or additional paid breaks may be made available.

The legislation sets out that an employer must take all reasonable steps to provide facilities within the workplace for breastfeeding, such reasonable steps to be considered are:

* the extent to which any steps are, or would be if taken effective to provide suitable facilities;
* the extent to which any steps are, or would be if taken practical;
* the cost of any steps which could be taken;
* the financial, administrative and other resources available to the employer.

The following is a list of things for an employer may wish to consider:

* **Flexibility** – to allow the employee to go home or attend the day care facility if either are close to the workplace, in order to breastfeed the child which may mean allowing some extended breaks under a temporary change to working hours or temporary flexible working. There is **no** entitlement for the employee to be paid for any additional time.
* **Facilities** – private and hygienic space which is safe and secure – the ladies/disabled toilet is not an appropriate space for breastfeeding or expressing milk, but think about a meeting room or a quiet area that can be screened off.
* **Fridges** – many businesses already have fridges in staff refreshment areas, so consideration as to whether expressed milk could be stored securely and hygienically there should be given. If a fridge is not available then the employee may wish to use vacuum flasks to safely store any expressed milk**.**
* **For how long?** – the employee must advise the employer how long this temporary arrangement will be in place for.

Please bear in mind the list above does not imply that a baby can be brought into the workplace.

As a matter of good employment practice a note should be kept of any discussions and decisions made in respect of the temporary arrangement entered into.

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