



# MOLLOY UNIVERSITY

Policy # HR.312  
Lactation  
Responsible VP: VP for Finance,  
Treasurer  
Responsible Office: Human  
Resources  
Approved By: Cabinet  
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## NYS PAID PRENATAL CARE AND LACTATION POLICY

### PAID PRENATAL CARE

This policy provides employees with 20 hours of paid leave time per year to be used for prenatal healthcare service appointments during their pregnancy or related to their pregnancy. Paid Prenatal Leave may only be used by the employee directly receiving prenatal health care services. Paid Prenatal Leave is a separate employee benefit from NYS Sick Leave (paid or unpaid). Prenatal health care appointments may be covered by NYS Sick Leave, Paid Prenatal Leave, or an existing employer leave policy. An employer cannot require an employee to choose one leave type over another or require an employee to exhaust one type of leave before using Paid Prenatal Leave. Paid Prenatal Leave is a stand-alone benefit available to employees seeking prenatal healthcare services. Please contact Human Resources if you need to utilize paid prenatal leave.

### LACTATION

- Molloy has identified a dedicated space on campus to serve as a lactation room when employees need to express breast milk.
- Human Resources will ensure that the lactation room can be locked from the inside so that the employee pumping can do so without intrusion.
- Human Resources will ensure that the lactation room is clean, free from intrusion, and meets as many of the following requirements as possible: contains at least one electrical outlet, a surface to place a pump and other personal items, and a chair; and is near running water and a refrigerator to store breast milk.
- If the lactation room is unavailable when an employee needs it, Human Resources will provide alternate space for temporary use as a lactation room.
- Even if the lactation room is available, an employee who wishes to pump at their usual workspace will be permitted to do this so long as it does not create an undue hardship for the University.

#### Reasonable Time to Express Breast Milk

- Molloy will provide a reasonable amount of time for an employee to express breast milk and will not unreasonably limit the amount of time or the frequency that an employee expresses breast milk. Human Resources will speak with the employee to determine a schedule of breaks that reasonably accommodates the pumping needs of the employee.
- Employees will receive a 30-minute paid break to express milk, and it could be shorter if they

choose. This paid time is in addition to any regularly scheduled break time or mealtime. Employees may use their regularly scheduled break time or mealtime for milk expression should they need additional time in excess of 30 minutes.

### Lactation Accommodation Request Process

- Before an employee returns from parental leave, Human Resources will resend this policy to the employee in writing (electronically or by mail) and request information from the employee regarding the need for a reasonable accommodation to express breast milk at work.
- Employees may also independently request a lactation accommodation by contacting Human Resources. A request may be made orally or in writing and should indicate that the employee will need accommodations for expressing breast milk at work.
- Human Resources will respond to a request for a lactation accommodation **as quickly as possible**. Under no circumstances will this amount of time exceed five (5) business days. During the time it takes to respond to a request and/or engage in a cooperative dialogue to determine the accommodation, Molloy will provide a temporary accommodation to the employee so that the employee can pump in a manner that meets the employee's immediate needs, unless that poses an undue hardship for the employer.
- The University recognizes that employees' lactation accommodation needs may change over time. Employees may request changes to their existing lactation accommodation at any point.

### Undue Hardship

- If Molloy believes that the lactation accommodation requested poses an undue hardship on the University, Human Resources will discuss reasonable alternatives with the employee to accommodate the employee's needs, initiating a cooperative dialogue as quickly as possible, but absolutely no later than five (5) business days from the date of the request. The conversation will be in good faith, may occur orally or in writing, and will conclude with a final written determination of the accommodation granted or denied. This process gives the employee an opportunity to have an open discussion with Molloy about their needs, and the University has an opportunity to hear its employees and work with them to come up with an appropriate accommodation for the employee.

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