

Pregnancy, Maternity/Paternity Leave, and Lactation Policy

- I. **PURPOSE:** To protect the employee's right to work during pregnancy or while conceiving or lactating.
- II. **POLICY:**

Active duty vs. limited duty- It is the employee's right to continue working while she is pregnant. Active duty firefighters who are pregnant and are physically capable of performing their jobs may, at their discretion, remain in active-duty positions, and are not required to report their pregnancy to the employer. While it is not the obligation of the employer to protect the fetus, the employer nonetheless recognizes that firefighting and EMS duties present reproductive risks to employees and their offspring. Firefighters who are pregnant, breast-feeding an infant, or attempting to conceive, may be assigned to non-hazardous duty if they request it and present a letter from their physician advising that they should be so assigned.

Pregnant firefighters who, on the advice of a physician, cannot continue working in any capacity will be granted leave in accordance with the city's Pregnancy FMLA policy using their own sick leave and/or vacation time at their option.

Uniform during limited duty- should we outline what the employee is expected to wear, whether maternity clothes are acceptable, or if they just get approval from light duty supervisor?

Maternity/Paternity Leave- upon birth of child, adoption, or fostering transition, employees with at least 12 months of service qualify for 12 weeks of FMLA to be used within 12 months of the event.

Lactation- On returning to work (either limited or active duty), a lactating firefighter will be afforded all rights to express breastmilk during working hours in accordance with the Fair Labor Standards Act (Section 7r).
- III. **RESPONSIBILITY:** In accordance with City policy, it is the responsibility of the firefighter to obtain a letter from their physician recommending a non-hazardous duty assignment to be removed from active duty firefighting. Employee must also obtain physician's letter to return to duty after pregnancy is complete and employee is physically recovered from pregnancy and ready to return to active duty firefighting.
- IV. **DEFINITIONS:**

Pregnant- firefighters will be considered pregnant with positive test from their physicians and corresponding documentation

Lactating- nursing their young during the first year of life
- V. **REFERENCES:**

Pregnancy Information Packet
Employee Health Services FMLA Policy

VI. PROCEDURE:

A. On notifying her supervisor of pregnancy, firefighter should be provided with the department's pregnancy information packet.

B. Pregnant Firefighter will review and sign the packet, and will remain on active duty as long as she voluntarily chooses to and remains physically capable of performing the job.

C. The pregnant firefighter who deems active duty undesirable may choose at any time to be assigned to non-hazardous duty on their request and with a letter from their attending physician.

D. Post-partum or on termination of pregnancy, firefighter may return to active duty with a note from her physician.

E. If lactating on return to work (limited duty or active duty), the firefighter will, for the first year of the child's life:

1. Be provided with a reasonable break time to express breast milk as needed during working hours.

2. Be provided with an appropriate place, other than a bathroom, that is shielded from view and free from intrusion from others during expression of breastmilk.