

# RECORD OF ORDINANCES

Ordinance No. 37 -2024

Passed August 5th, 2024

## AN ORDINANCE AUTHORIZING THE AMENDMENT AND ADOPTION OF A NURSING BREAKS POLICY AND THE ADDITION OF THE POLICY AS DEFINED TO THE VILLAGE EMPLOYEE HANDBOOK

WHEREAS, Brewster Village Council desires to amend Employee Handbook Policy 6.08 Pregnancy and Nursing Breaks with 6.08 Nursing Breaks, as most of the language in former 6.08 Pregnancy and Nursing Breaks language is being moved to new Employee Handbook Policy 4.15 Parental Leave, and to include the revised policy in the Village Employee Handbook.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BREWSTER, THAT:**

**SECTION 1:** The Village shall amend and adopt a Section 6.08 Nursing Break Policy as defined below, replacing current Section 6.08 Pregnancy and Nursing Breaks in the Village Employee Handbook as follows:

### NURSING BREAKS 6.08

#### A. Nursing Mother Breaks

##### 1. Reasonable Break Time

Employees who are nursing will be provided with reasonable break time for the employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk.

##### 2. Nursing Breaks Unpaid

Nursing mother breaks are unpaid, unless the employee uses other paid/break time (i.e. paid meal break) in the same way that other employees who are compensated for said break time.

##### 3. Appropriate Location to Express Breast Milk

The Village of Brewster will provide an appropriate location for an employee to express breast milk. The appropriate location shall be a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public. This space may be temporarily created, or a location converted into a space for expressing milk, and/or made available when needed by the nursing mother if the space is shielded from view, and free from any intrusion from co-workers and the public. The location provided must be functional as a space for expressing breast milk. If the space is not dedicated to the nursing mothers' use, it must be available when needed in order to meet the statutory requirement.

##### 4. Undue Hardship

If the Village of Brewster can demonstrate that compliance with the nursing mother requirements would impose an undue hardship, the Village may not be required to comply with the forgoing. Whether compliance would be an undue hardship is determined by looking at the difficulty or expense of compliance for a specific employer in comparison to the size, financial resources, nature, or structure of the Village's business.

#### B. No Retaliation

Employees will not be retaliated against for exercising their rights under this policy.

**SECTION 2:** The above policy replaces any previous version of this policy and supersedes any current policy which may be in conflict with this policy.

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GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

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**SECTION 3:** This ordinance shall be in full force and effect at the earliest date provided by law.

Charles B Hawk  
Mayor Charles B. Hawk

ATTEST:

K. Kris King  
Village Clerk Treasurer K. Kris King

## CERTIFICATE

I, K. Kris King, hereby certify that the above is a true copy of an ordinance passed at a regular meeting of the Brewster Village Council held on August 5, 2024.

K. Kris King  
Clerk K. Kris King

I, K. Kris King, Clerk of the Council of the Village of Brewster, State of Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by Council as follows: Office of Brewster Utilities, Brewster Barber Shop, Brewster Federal Credit Union, Post Office and Brewster Laundromat.

K. Kris King  
Clerk K. Kris King