

# **Civil Service Conciliation and Arbitration Scheme**

## **General Council Report 1506**

**(Meeting/s of 29 September 2004, 25 June 2008)**

**This is a claim sponsored by the Civil Public and Services Union which seeks that:**

**(a) Breaks for breastfeeding mothers be made available for the first twelve months after giving birth and**

**(b) That workplace facilities be provided in all offices, particularly offices under the decentralisation programme, for breastfeeding mothers.**

1. The Staff Side put forward this claim at General Council to seek
  - (a) that breaks for breastfeeding mothers be made available for the first twelve months after giving birth, and
  - (b) that workplace facilities be provided in all offices, particularly offices under the decentralisation programme, for breastfeeding mothers.
2. Legislation in relation to breastfeeding was due to be signed off in the near future and at the request of the staff side it was agreed to refer to the Equality subcommittee of General Council.
3. Following discussion at the Subcommittee it was agreed to increase the availability of breastfeeding breaks (or lactation breaks) to mothers until the child has reached **two years of age**. Personnel Officers were informed of this in para 9 of circular 31/2006 (Implementation of the Regulations of the Maternity Protection (Amendment) Act 2004) Appendix below.
4. In relation to workplace facilities be provided in all offices, particularly offices under the decentralisation programme, for breastfeeding mothers, it was agreed that this be referred to Departmental Councils in Government Departments.
5. This report recording agreement was adopted on 25 June 2008.

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Joan Byrne

Staff Side Secretary

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Aengus O'Riain

Official Side Secretary

Appendix

Para 9 of circular 31/2006

**Breastfeeding Breaks**

9. Recommendations contained in the Government's policy statement on breastfeeding, 'Breastfeeding in Ireland' A Five-Year Strategic Action Plan, published in October 2005 by the Department of Health and Children state that mothers should continue to breastfeed their children up to the age of two years, to maximise the potential health benefits for themselves and their children. This is in accordance with the guidelines issued by the World Health Organisation.

In line with Government policy on this issue it is proposed that entitlement to breastfeeding or 'lactation' breaks for Civil Servants be extended to when the child who is being breastfed reaches the age of 2. Therefore a mother who is breastfeeding her child/children is entitled to, without loss of pay until the child is 2 years of age, either an adjustment of working hours or where breastfeeding facilities are provided by the employer, breastfeeding breaks. Where such facilities are provided, breaks may be taken in the form of one break of 60 minutes, two breaks of 30 minutes each, three breaks of 20 minutes each, or in such other manner as to number and duration of breaks as may be agreed by her and her employer.

An employee who is breastfeeding is entitled, if preferred, to the option outlined above and without loss of pay, to have her working hours reduced by 1 hour each day. That reduction may comprise one period of 60 minutes, two periods of 30 minutes, 3 periods of 20 minutes each or such other periods as may be agreed by her and her employer.

Time off from work or a reduction in working hours should be calculated on a *pro rata* basis for worksharing staff. Employees who wish to

exercise this entitlement in either the form of breastfeeding breaks or reduced hours must notify her employer in writing of her intention to do so and should furnish, if so requested by her employer, the birth certificate of the child concerned.

Agreed report

This report was adopted on 25 June 2008