



# DEPARTMENT OF HEALTH AND HUMAN SERVICES

## Policy

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### 1.0 POLICY

It is the policy of the Department of Health and Human Services (DHHS) to provide a positive work environment that recognizes parents' responsibilities to their jobs and to their infants by acknowledging the ability of an infant to stay with a parent benefits the family, the employer, and society. The Infant-at-Work Program encourages new mothers or fathers to return to work sooner by allowing the new parents to bring their infant to work for a specified period of time.

### 2.0 PURPOSE

It is the purpose of this policy to establish eligibility requirements and guidelines for use of the program.

### 3.0 SCOPE

Open to full-time and part-time permanent state employees with DHHS.

### 4.0 ELIGIBILITY

A full-time or part-time permanent DHHS employee who is the parent (through birth, adoption, or placement for foster care) or the legal guardian of an infant is eligible to participate in the program, subject to provisions of the program, the specific job responsibilities of the parent and subject to ensuring the physical safety of the infant. Those with job responsibilities which involve the provision of direct services and/or regular client or patient contact, may not be eligible for participation in the program. An employee participating in the program must be able to perform the essential functions of his/her position; alternative work assignments will not be provided. To be eligible for participation in the program an employee must not have a below standard evaluation on file or disciplinary action.

Bringing infants to work cannot be allowed in areas where there is direct patient/client contact or where there are secured areas and/or safety concerns for the infant, employees, or the public.

### 5.0 PROCEDURE

#### A. Request Process:

An employee may request Infant-at-Work forms from their division's human resources office.

Required forms include:

- a) Pre-Program Discussion Checklist
- b) Infant-at-Work Request Form



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- c) Individual Work Plan
- d) Waiver of Liability, Indemnification, and Medical Release

An employee is responsible for completing all the required request forms and submitting them to their supervisor for consideration 30 days prior to the date participation in the program is requested to begin, as far as practicable.

### **B. Pre-Program Meeting:**

Upon receipt of the completed forms, the supervisor shall coordinate with the division's human resources office to set-up a pre-program meeting to discuss the employee's eligibility for the program and to review the Individual Work Plan. The Pre-program Discussion Checklist will be used to facilitate the discussion. Prior to the pre-program meeting, the supervisor will advise employees who will be sharing the work area with the requesting employee of the request and allow the opportunity for them to communicate any concerns they may have regarding the presence of an infant in the work area. These concerns will be considered by the supervisor in formulating a recommendation.

Following the pre-program meeting, the supervisor shall recommend approval or denial of the request.

### **C. If the Supervisor approves the request:**

1. The request packet containing Infant-at-Work Request Form, Individual Work Plan, Pre-program Discussion Checklist and Waiver of Liability, Indemnification, and Medical Release will be forwarded with appropriate signatures to the Chief/Manager and the Division Administrator or designee for review.
  - a. If the Chief/Manager upholds the supervisor's approval, the Chief/Manager shall forward the request packet with appropriate signatures to the Division Administrator or designee for review.
  - b. If the Division Administrator or designee upholds the approval, he/she will forward the request packet with appropriate signatures to the human resources representative for distribution of copies. The original forms shall be maintained in the employee's agency personnel file.
  - c. If the Division Administrator or designee does not concur with the Chief/Manager's approval of the request, the Division Administrator or designee shall notify the Chief/Manager, provide a written explanation for the denial, attach



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it to the request form and forward the request packet with appropriate signatures to the human resources representative for distribution of copies. The original forms shall be maintained in the employee's agency personnel file.

2. If the Chief/Manager denies the request, the Chief/Manager shall provide a written explanation for the denial, attach it to the request form and forward the request packet to the Division Administrator or designee for review.
  - a. If the Division Administrator or designee upholds the denial, he/she will forward the request packet with appropriate signatures to the human resources representative for distribution of copies. The original forms shall be maintained in the employee's agency personnel file.
  - b. If the Division Administrator or designee overturns the Chief/Manager's denial of the request, the Division Administrator or designee shall notify the Chief/Manager, provide a written explanation for the approval, attach it to the request form and forward the request packet with appropriate signatures to the human resources representative for distribution of copies. The original forms shall be maintained in the employee's agency personnel file.

**D. If the Supervisor denies the request:**

1. The supervisor shall provide a written explanation for the denial, attach it to the request form and forward the request packet to the Chief/Manager for review.
  - a. If the Chief/Manager upholds the supervisor's denial, the Chief/Manager shall forward the request packet with appropriate signatures to the Division Administrator or designee for review.
  - b. If the Division Administrator or designee upholds the denial, he/she will forward the request packet with appropriate signatures to the human resources representative for distribution of copies. The original forms shall be maintained in the employee's agency personnel file.
  - c. If the Chief/Manager disagrees with the supervisor's denial, the Chief/Manager shall notify the supervisor, provide a written explanation for approval of the request, attach it to the request form and forward the request packet to the Division Administrator or designee for review.
  - d. If the Division Administrator or designee concurs with the Chief/Manager's approval of the request, he/she will forward the request packet with appropriate



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signatures to the human resources representative for distribution of copies. The original forms shall be maintained in the employee's agency personnel file.

- e. If the Division Administrator or designee does not concur with the Chief/Manager's approval of the request, the Division Administrator or designee shall notify the Chief/Manager, provide a written explanation for the denial, attach it to the request form and forward the request packet with appropriate signatures to the human resources representative for distribution of copies. The original forms shall be maintained in the employee's agency personnel file.

The Division Administrator or designee is the final level of approval/denial of any request submitted.

### 6.0 RESPONSIBILITY

An employee who wishes to bring his/her infant to work must obtain written permission as described in the Request Process section of this policy.

Employees approved to participate in the program have the following responsibilities:

Any modifications to an employee's regular work schedule must be requested/approved in accordance with the Flexible Work Arrangement Policy.

The employee participating in this program shall never leave the building for any length of time without taking the infant with him/her.

The employee shall accept complete responsibility for the safety of the infant. If the employee's duties require that he/she leave the primary work site, the infant must accompany the employee. The employee shall not transport the infant in a state vehicle.

The employee must provide all supplies and equipment needed to care for and to provide for the infant's developmental needs and safety at the work site.

When changing an infant's diaper, the employee must use a changing station located in a restroom. Used disposable diapers must be wrapped appropriately and discarded in a waste receptacle in a restroom. Used cloth diapers must be stored in a closed container provided by the employee in a designated location and must be taken home daily.

There may be work circumstances that require the employee's full attention or for which the inclusion of an infant is not appropriate. It will be necessary for the employee to make other arrangements for child care during these periods.



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Alternate child care arrangements must be in place prior to participation in the program, Regular day care or other arrangements must be in place by the time the infant becomes mobile or reaches 12 months of age, whichever comes first.

In order for an Infant-at-Work Program to be most effective, all parties need to be sensitive to the needs of others. The employee must maintain acceptable work performance and ensure that the presence of the infant does not create any office disturbances. If problems arise that cannot be resolved, the employee understands that his/her participation in the program may be terminated.

If an infant becomes noticeably fussy, loud or uncontrollable for a prolonged period of time, or exhibits any behavior that causes a distraction in the workplace or prevents the parent and/or other employees from accomplishing work, the parent must find an alternate private area to calm the infant, such as a nursing room, break room, unused conference room or office. Absences from work are subject to regular leave request and approval policies.

Programs will identify one or more locations on the premises that employees may use, if they so choose, while breastfeeding or otherwise feeding their infants.

### **A. Infant's location during the program:**

The parent's workstation will be the infant's primary location during the workday. Each parent will work with their supervisor to ensure his/her workstation is suitable for the new infant. Ideally, the employee will stay with the infant at all times. The parent is responsible for the safety of the infant at all times.

The infant may be in another employee's workspace for brief intervals, not to exceed 15 minutes, if the arrangement is agreed upon among the parent, the other employee and the supervisor of the other employee. It is the parent's responsibility to ensure the environment is safe for the infant at all times.

### **B. Illness**

A sick infant shall not be brought to work. If the infant becomes sick during the day, the infant must be taken home. Standard 3.6.1.1: Inclusion/Exclusion/Dismissal of Children from the National Resource Center for Health and Safety in Child Care and Early Education is attached and hereby adopted as a means for determining whether an infant is sick.



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### C. Termination of Eligibility

An employee has the right to terminate their individual agreement at any time. The Division has the right to terminate an individual agreement at any time if the employee's performance declines or if organizational needs are not being met (e.g., complaints and/or disruptions to co-workers cannot be resolved). The employee must maintain acceptable work performance and ensure the presence of the infant does not create any office disturbances.

The agreement may also be terminated if the employee becomes involved in disciplinary action, if the employee does not comply with the terms and conditions of their Individual Work Plan, or when complaints have been made that cannot be resolved.

### D. Complaints

Any complaints made about the Infant-at-Work Program must be made in writing, signed by the individual making the complaint and submitted to the parent's supervisor.

The supervisor must review and discuss any formal complaint with the individual who filed the complaint. In addition, the supervisor must discuss the complaint with the parent to determine how resolution may be accomplished.

If the parent is required to take an action to resolve the complaint, the parent will modify his/her Individual Work Plan to include the steps taken to resolve the complaint. The modified Individual Work Plan must be resubmitted for approval by the Supervisor, Chief/Manager, and Division Administrator or designee.

If a complaint cannot be resolved between the parent and the supervisor, the complaint will be referred to the Division Administrator or designee through the human resources representative.

## 7.0 GENERAL PROVISIONS

The Infant-at-Work Program is a voluntary option for employees, subject to approval as outlined in this policy and where compatible with job requirements.

## 8.0 RELATED DOCUMENTS

[DHHS-Infant-at-Work-Waiver.docx](#)

[DHHS-Infant-At-Work -Infant Request Form.docx](#)

[DHHS-Infant-At -Work-Individual Plan.docx](#)

[DHHS-Infant-at-Work-Discussion Checklist.docx](#)



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[DHHS-Infant-At-Work Policy.docx](#)

### 9.0 REFERENCES

[CDC Recommendations for Inclusion or Exclusion.docx](#)

DPBH Variable/Flexible Work Week Policy

[PERD35-10NursingMotherBreak.pdf](#)

[NRS 201.232 Breast Feeding](#)

### 10.0 DEFINITIONS

The following definitions apply for the purpose of this policy:

Infant: A child up to the age of mobility or 12 months of age, whichever comes first.

Mobility: Mobility varies depending on each child's individual development. Mobility is defined as crawling, walking, or another form of movement which results in the child moving from one location to another without assistance.

The point at which a child is deemed mobile is determined by the employee's supervisor, human resource manager, division administrator or his/her designee.