

# HR Update

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### **ASSET Project Update: Reports-to Structure Development Judy Porter and Krisi Hicks**

The Alaska Statewide System for Employee Time (ASSET) project team is completing population of the Superior PCN field in the AKPAY Position Status records. This data, commonly referred to as the "Reports-to" structure, is critical for identifying state employees who are responsible for approving employee timesheets and leave requests in preparation for ASSET deployment. The Reports-to structure includes all active AKPAY PCNs and their Superior PCN detail.

At deployment, when the Reports-to structure is interfaced to ASSET, the data will create hierarchical relationships between employees and their supervisors necessary for time and leave management. Individuals who occupy a designated Superior PCN will have "Time Approver" authority in ASSET to manage and approve the timecards and leave requests of their direct reports; assign and edit work schedules; report on regular and overtime hours worked and leave used and other related information. Time Approvers will also have access to the time and leave records of their direct reports' employees. For example, the PCN of a division director is the Superior PCN of lower level management PCNs; therefore, a division director will have access to and approval authority for the time and leave records of all direct-report managers and the records of those managers' direct-reports.

Following the initial load of the Reports-to structure to AKPAY, it is the responsibility of each agency to maintain accuracy of the data to ensure that correct Time Approver authority is granted when ASSET is deployed. Time Approver authority is granted based on the PCN, not on the incumbent of the PCN, so no change to the Reports-to data is required when position incumbents change. However, revision to the Reports-to structure is necessary when a PCN is inactivated or when the supervisory authority for a PCN is modified for any reason. Changes are reported to and processed by an agencies' HR Service Center.

The Division of Personnel & Labor Relations is revising the current Personnel Action Request form (PARF) to include new data information fields for reporting changes to the ASSET Reports-to structure and to update its general format. The PARF revision will be implemented on or before July 1, 2011. Until that time, agencies should report changes in Superior PCN data to their HR Service Center in email or memorandum form.

Important Note – Maintenance to the AKPAY Reports-to structure does not affect or remove the distinct requirement to record any permanent change to the supervisory responsibilities or authorities of a particular PCN in the Online Position Description (OPD) system.

## **HR UPDATE LET US KNOW WHAT YOU THINK**

Please let us know what you think of our publication. If you have any suggestions about how to improve the HR Update or topics you think should be addressed, please contact [franklin.hurt@alaska.gov](mailto:franklin.hurt@alaska.gov).



**The 2011 Governor's Denali Peak Performance Award Winners and Honorable Mentions have been announced and are listed on the web page <http://doa.alaska.gov/dop/denaliAwards/winners2011/>**

Implementation of ASSET is scheduled to begin in December 2011 with a six-month phased-in deployment. More information about the ASSET project can be found on the project SharePoint site at <http://fin.admin.state.ak.us/dof/tas/index.jsp>.

## **Nursing Mothers Get A Break** by Dana Phillips

I remember my first work day after the birth of my child. I was returning to the workforce after several months off and was newly employed with a local private company. I showed up with briefcase in hand, my favorite pen, sack lunch, and a decorative bag concealing my breast pump. Mid-morning, a wave of panic came over me as I contemplated the inevitable — expressing breast milk — in my short allotted 15-minute break time. After inquiring about a private area, I was pointed in the direction of the single-stalled unisex bathroom near the mechanics' workshop. As I entered, my nose began to burn from the smell of solvent and soap used to wash hands and tools coated in grease. I had been pre-warned that the only available seating was the toilet itself. There was no counter, only a mirror with a small ledge holding a wire brush. I began to grimace at what I was about to do as I locked the door behind me.

Undoubtedly, nursing mothers across the nation have their own “horror” stories when it comes to expressing milk at work; however, the State of Alaska, as an employer, has a specific policy that supports employees, who are nursing mothers. The policy — “Expressing Breast Milk at the Workplace” — is found in the Alaska Administrative Manual 280.460. The State recognizes that providing a supportive environment for its nursing mother employees benefits all Alaskan families. In addition, the federal Fair Labor Standards Act (“the Act”) was amended to provide breaks for nursing mothers so that they may express

milk while at work. Specifically, the Act requires employers to:

- provide “reasonable break time for an employee to express breast milk for her nursing child for 1-year after the child’s birth each time such employee has the need to express the milk”; and,
- provide “a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.”

### **Reasonable Break Time**

The Act applies to covered employees who are subject to its overtime pay provisions. The Act does not require employers to compensate nursing mothers for breaks taken to express milk. However, collective bargaining agreements and personnel rules already provide compensated breaks (e.g., 15 minutes in the morning and 15 minutes in the afternoon) that employees can use for any purpose.

The Act does not specify “reasonableness” in reference to the length or frequency of breaks. On average, expressing milk takes 15-20 minutes, with the need to express milk 2-3 times in an 8-hour work day; however, this will vary from

woman to woman. When considering “reasonableness,” agencies should consider factors such as (i) the time it takes going to and coming from the designated location, (ii) if the employee needs to retrieve their pump and/or supplies, (iii) unpacking and/or setting up, (iv) the efficiency of the pump — employees using different pumps may take more or less time, (v) cleaning the pump and/or supplies, (vi) the act of storing the milk.

Nursing mothers who use break time to express milk must be compensated in the same way that other employees are paid for such break times. If an employee needs time in addition to the authorized break and lunch periods, she must adjust her work schedule with her supervisor’s approval, or she may take leave in accordance with the appropriate bargaining unit agreement and leave policy. Nursing mothers, who take breaks to express milk, must be treated the same as other employees, who are afforded breaks for other personal reasons. Nursing employees who are treated differently may have a claim for disparate treatment under Title VII of the Civil Rights Act of 1964, as amended, and Alaska Statute 18.80.220.

### **Uncompensated breaks and Family Medical Leave**

The federal Family Medical Leave Act and the Alaska Family Leave Act provide job-protected leave for specified family medical reasons, the employee’s own serious health condition, birth, bonding, adoption or placement of a child. The U.S. Department of Labor does not consider expressing milk at work to constitute “bonding” or caring for a child as defined by family medical leave laws. Typically, the act of expressing milk is not associated with a serious medical condition and therefore, would not make the employee eligible under these laws.



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## **Location of Breaks**

Departments must designate a private, functional space, for an employee to express milk. A restroom/bathroom/ladies room is inappropriate and insufficient. Agencies are not required to designate a permanent location; however, the private space must be available when needed in order to meet the requirements. A space temporarily created or converted must be shielded from view and free from intrusion from coworkers and the public. Nursing employees are responsible for keeping areas clean for the next user.

Pregnant employees should give managers notice that they intend to take breaks to express milk when they return to work. This gives the manager time to make any special arrangements if needed.

The State of Alaska, as an employer, has a variety of jobs that are not in traditional office settings. Agencies are encouraged to think outside the box when designating or converting a space for nursing mothers. Managers' offices, storage spaces, utility closets and spaces used for other purposes may be considered adequate. The space should consist of a place to sit and a flat surface, other than the floor, to place the breast pump and supplies. If managers have any questions about the adequacy of a proposed space, they are encouraged to consult with their Human Resource Service Center or EEO Program staff. Where it is not practical to provide a room, the requirement may be met by creating a space with partitions or curtains. For jobs such as law enforcement officers or drivers, managers are encouraged to explore ideas with the expectant mother or their HR Service Center.

## **Additional Information**

Nursing mothers are also permitted to store breast milk; and if a shared refrigerator is used, the employee should label their property with their name.

Departments are not required to purchase or provide a refrigerator; however, they must permit nursing employees to bring an insulated container to store breast milk.

There is additional information on the Division of Personnel & Labor Relations (DOP&LR) website and questions may be directed to the Department's designated DOP&LR Human Resource Service Center or to EEO Program staff.



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## **Classification Class Study Update**

### **Active Studies:**

- Equal Employment Opportunity Officer
- Cartographer I-IV (GIS)
- Biologists (Fishery, Habitat, Wildlife, and F&G Regional Supervisor)
- Juvenile Justice Officer I -III
- Juvenile Justice Unit Supervisor
- Juvenile Justice Superintendent I-II
- Administrator, Violent Crimes Compensation Board
- Executive Director, Health Care Commission
- Medical Records Administrator
- Environmental Laboratory Scientist (Chemist and Microbiologist)

### **Recently Completed Studies:**

- Occupational Safety & Health Analyst – effective 4/1/11
- Insurance Analyst I, II and III - effective 2/16/11
- Executive Administrator, Board of Public Accountancy - effective 2/4/11
- AK Military Youth Academy Instructor - effective 12/16/10
- Regulatory Commission of Alaska job classes, effective 08/16/10
- Eligibility Technician and Workforce Development Specialist, effective 07/01/10