

Administrative Policy No. 18.88

Subject: Infants at Work Program

Information Contact: Human Resources Division

Authorizing Source: [RCW 43.10.005 Workplace pregnancy accommodations](#)
[RCW 43.70.640 Workplace breastfeeding policies](#)
[Executive Order 13-06 Improving the Health and Productivity of State Employees and Access to Healthy Foods in State Facilities](#)
[Pregnancy Discrimination Act of 1978](#)
[Administrative Policy 18.85 Breastfeeding in the Workplace](#)

Effective Date: May 28, 2019

Revised: September 18, 2023

Approved By: **Original Signed by Wendy Long**
Senior Director, Human Resources Division

Purpose

The Department of Social and Health Services (DSHS) infants at work (IAW) policy is established to encourage and support eligible employees who are new parents or legal guardians to spend time with their infant(s) within the first six months of life while continuing to work. Research proves that allowing a parent and infant to remain together in this earliest stage of life supports critical bonding, healthy infant brain development, parental well-being, and enables breastfeeding or chest-feeding, which all improve lifelong health.

DSHS welcomes having new parents back in the office sooner as well as being able to offer the IAW program as an enticement for recruiting and retention. Participants and their infants benefit from lower day care costs, reduced stress while transitioning back to work, and continued bonding.

Scope

This policy applies to all DSHS programs and employees in eligible positions. For represented employees, when provisions of agency policies conflict with collective bargaining agreements ([CBA](#)), the CBA supersedes the specific provisions with which it conflicts.

Participation in the IAW program is a privilege and not a right and is subject to approval by the appointing authority or delegate.

Additional guidance:

Administrative policy [18.87](#) modern and mobile workplace

Administrative policy [18.90](#) workplace pregnancy accommodation

DSHS [03-498](#) infants at work (IAW) care provider agreement

DSHS [03-499](#) infants at work (IAW) waiver of liability and assumption of risk

DSHS [03-500](#) infants at work (IAW) program individual plan

[Collective bargaining agreements](#)

Definitions

Designated care provider (DCP): A permanent DSHS employee who has completed their probationary period, works near the parent's workspace, is not a subordinate or supervisor of the parent, and who volunteers to provide infrequent care for an infant during work hours when the parent or guardian is unavailable.

Infant: A child of the parent, through birth, adoption, or legal guardianship, who is between six weeks and six months of age.

Parent: A biological, adoptive, foster parent, stepparent, or legal guardian of an infant.

Policy

1. The IAW program is designed to accommodate an employee's participation with their infant(s) between six weeks and six months of age. Prior to submitting an [application packet](#) (see *additional guidance for form numbers*), the parent is required to have a pre-meeting with their appointing authority or delegate.
2. **Program participation:**
 - a. Participation in the IAW program will typically be considered only for parents working in an office setting. Exclusions may include, but are not limited to positions:
 - i. Requiring field work;
 - ii. Working in an institution;
 - iii. Working in a warehouse environment;
 - iv. Requiring excessive travel on state time;
 - v. Requiring regular in-person contact with the public; or
 - vi. Conducting investigations or adjudicative processes.

- b. The appointing authority or designee will determine if the parent's position is eligible for the program.
- c. The appointing authority or delegate will determine if the work location is suitable for the program. For community-based staff with eligible locations, outside of the DSHS headquarters offices, the parent will be required to follow the building use guidelines at the current work site. Individual plans will be developed based on the work location. [DSHS 03-500](#) IAW program Individual plan.
- d. Employees involved in corrective or disciplinary action within the last six months may not be eligible to participate in this program.
- e. The parent must choose two DCPs who will care for the infant if the parent must conduct official state business which the infant cannot attend.
 - i. DCPs may not be a direct report employee to the parent;
 - ii. DCPs may only provide infrequent care to the infant, typically not more than one hour per day when the parent is unavailable;
 - iii. DCPs may not simultaneously participate in this program as a parent and as a DCP for another parent's child, except in rare situations, subject to approval from the employee's supervisor.
- f. To be eligible for the program, the parent must contact the appropriate appointing authority or designee to schedule a time for a workspace consultation.
- g. Supervisors of the parent and DCPs have input about whether the parent or DCP may participate and continue participation in this program. The appointing authority or designee determines final approval or denial of the IAW request. Approval may be reconsidered if circumstances change.
 - i. If parents or DCPs disagree with the appointing authority's decision, they may appeal in writing to the DSHS senior director of human resources (HR).
 - ii. The HR senior director must review the appeal in cooperation with the appointing authority or designee to determine the disposition of the appeal.
 - iii. The HR senior director must provide a final determination in writing.

3. Health and safety

- a. The parent and DCPs must receive training and demonstrate the ability to adhere to all safety and emergency response procedures to maintain a safe working environment while caring for an infant in the workplace, including reviewing safety, security, and evacuation procedures.
- b. A sick infant must not be brought to work. The agency adopts the [CDC's recommendations](#) for inclusion or exclusion of children from out of home care.

- c. The parent must take the infant home if the infant:
 - i. Becomes sick while in the workplace;
 - ii. Is disruptive for a prolonged period of time;
 - iii. Causes significant distraction in the workplace; or
 - iv. Prevents the parent from accomplishing work.
- d. The decision to take the infant home may be made by either the parent or the parent's supervisor or manager. If the infant is taken home, the parent must submit leave in accordance with the applicable agency policy or CBA, unless they have an agreement with their supervisor to flex their work hours

4. Feeding and changing the infant:

- a. DSHS will provide a private space appropriate for infant feeding, and other requirements under administrative policy [18.85](#) breastfeeding employees in the workplace. These rooms will be listed in the individual plan developed for each participant based on their work location. [DSHS 03-500](#) IAW program Individual plan.
- b. Infant diaper and clothing changes may only take place in designated areas with changing tables.
 - i. The parent must provide a sealing diaper container, which will be stored in one of the designated restrooms;
 - ii. All used cloth and disposable diapers, and any excessively soiled infant clothing, must be stored in the diaper container;
 - iii. The parent must empty the diaper container and remove the soiled diapers and clothing from the building at the end of each day; and
 - iv. The DSHS garbage cans must not be used for disposal of cloth or disposable diapers for any reason.

5. Conducting business:

- a. Parents must provide care for the infant while performing their job duties. The parent and DCP may flex their work hours with approval from their supervisor.
- b. The infant must be located primarily in the parent's workstation during the workday, unless care is being provided by an approved DCP. When the infant is with an approved DCP, the infant should reside in the DCP's workstation.
- c. The parent must provide the necessary furniture and equipment suitable to meet the infant's needs, ensuring that the equipment is not disruptive.

- d. Parents must notify meeting facilitator(s) in advance if the parent will bring the infant to an internal meeting.
 - i. If the infant becomes disruptive, the parent must remove the infant from the meeting;
 - ii. If the parent's attendance at the meeting is required, the parent must contact a DCP to care for the infant for the duration of the meeting.
 - e. The parent is not authorized to travel with the infant while driving or riding in state owned or leased vehicles, or private vehicle for state business.
6. Parents must have other care arrangements in place by the time the infants are six months of age.

7. Termination of participation

- a. A parent may terminate participation in the IAW program at any time.
- b. The appointing authority or designee may terminate the parent's participation in the program after 7 business days written notice but is strongly encouraged to give the parent sufficient time to find alternative arrangements for child-care.
- c. A parent participating in the IAW program has no appeal rights to termination from the program, since the program is discretionary.
- d. Parent participants terminated from the program are encouraged to consult with their [HRD](#) point of contact to consider alternative options or accommodations. (See administrative policy [18.87](#) modern and mobile workplace; administrative policy [18.85](#) breastfeeding in the workplace.)