

IDAHO STATE UNIVERSITY
POLICIES & PROCEDURES (ISUPP)
Children in the Workplace and Classroom
ISUPP 3040

POLICY INFORMATION

Policy Section: *Human Resources*

Policy Title: *Children in the Workplace and Classroom*

Responsible Executive (RE): *Human Resources Director*

Sponsoring Organization (SO): *Human Resources*

Dates: Effective Date: *November 18, 2013*

Revised: *June 13, 2016*

I. INTRODUCTION

This policy establishes guidelines for supervisors and faculty members/Instructors who are responsible for addressing issues of minor children in the workplace and classroom or laboratory/research facilities. It also outlines responsibilities for parents and caregivers for any minor children they are permitted to bring to ISU facilities, whether they are students, staff, or faculty/instructors.

This policy is not intended to prohibit participation in a university sponsored event, such as “Take Your Child to Work Day,” or other events where families are invited and encouraged to participate. This policy is not intended to prohibit visits to ISU facilities by minor children to friends and family during lunchtime or other brief visits. Employees, students and faculty members/instructors are personally responsible for their children when they are participating in a university sponsored event or activity.

II. POLICY STATEMENT

The University values a work and learning environment that fosters collegiality, productivity and a healthy balance between employment obligations and family needs. The University recognizes that unanticipated emergencies that impact familial responsibilities can affect a parent or caregiver’s work and education. While supervisors and faculty members/instructors are encouraged to be sensitive to the needs of working and learning parents and caregivers, a minor child should not be in the workplace or the classroom on a regular or frequent basis for the following reasons:

- Children in the workplace create a potential liability for the department and the University;
- Children in the workplace may disrupt the workplace both for the employee with the child and for others in the work unit,
- Children in the workplace create an atmosphere that may not be conducive to achievement of the unit's specific goals and objectives.

Neither the workplace nor the classroom is to be used as an alternative to regular child care. Emergency or unforeseen situations and accommodations for nursing mothers may be allowed as detailed below.

III. AUTHORITY AND RESPONSIBILITIES

A. Responsibilities of the parent or caregiver:

1. In the case of unforeseen or emergency situations, parents or caregivers should contact their immediate supervisor or faculty member/Instructor as soon as possible in order to make a request to bring a child to work or class. Such arrangements are infrequent and only to be temporary in nature. They may be granted only in circumstances where safety issues (such as stairs and stairwells, automatically closing doors, open windows, office machines, etc.) have been satisfactorily addressed. This allowance for emergency situations is not applicable to hazardous areas.
2. The presence of a child in the workplace should be on a temporary basis only. A child's presence on an on-going basis is an exception to this policy. If the primary considerations of health, safety, institutional liability, productivity, professionalism, or the quality of the working or learning environment are compromised by the frequency of the child's presence, in the opinion of a supervisor, faculty member/Instructor, or higher-level management, the parent may be instructed not to bring the child into the workplace, or to request an exception. An exception requires written justification signed by the caregiver. The justification must be routed through and approved by the appropriate reporting channels to obtain the Vice President's approval. Requests for exceptions will be considered on a case-by-case basis and will be rare.
3. In keeping with the provisions of the recently enacted Affordable Care Act, the University allows for reasonable break times for lactating mothers to express milk and provides non-bathroom accommodations shielded from view to do so. In addition, mothers who choose to breast feed their infant at the workplace are allowed to do so as an exception to this policy. With the approval of their supervisor and the appropriate Vice President, mothers are permitted to bring their infant to the workplace for up to one year after the child's birth for breastfeeding purposes.

4. If a request is approved, the child must be directly supervised by the parent or caregiver at all times and the parent or caregiver is responsible for all aspects of the child's behavior. The parent or caregiver may not ask any other employee, faculty member, or student to supervise the child.
5. Minor children are prohibited from entering inappropriate or hazardous areas such as, but not limited to, laboratories and workshops with dangerous materials or tools, kitchens, power plants, and animal care facilities, except during approved University activities. If there is any doubt regarding safety the child should not be brought to the office or classroom. Faculty/instructors or supervisors of these areas do not have the authority to approve visitation or emergency attendance of a minor child to inappropriate or hazardous areas, even on an occasional basis.
6. Parents or caregivers must ensure that the presence of a minor child does not disrupt or interfere with the productivity of the work or learning environment. Parents or caregivers will be required to remove the minor child if the child's behavior becomes disruptive or a distraction to other employees or students.
7. A child who has an illness that prevents him or her from being accepted by a regular day care provider, or one with infectious disease of any kind, may not be brought to the workplace or classroom.
8. Children are not to have access to any confidential information at any time.
9. In some circumstances an employee may be entitled to paid or unpaid leave to care for a sick child under the Family Medical Leave Act (FMLA). Information about employee rights and responsibilities under the Act can be found at this website: <http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>. Please see ISUPP #3010 Family Medical Leave Policy.

B. Responsibilities of an employee's immediate supervisor:

1. A. supervisor's primary consideration must be for health, safety, institutional liability, productivity, professionalism, and a high-quality working environment. If in the opinion of the supervisor, any of these considerations are compromised by the presence of a minor child, the supervisor has the duty and right to deny permission or to have the employee remove the minor child, even when permission has previously been granted. If in the opinion of the supervisor, any of these considerations are compromised by the frequency of the child's presence, the supervisor may instruct the parent not to bring the child into the workplace, to limit the frequency, or to request an exception (as per subsection A.2 of this ISUPP).
2. Supervisors will evaluate the considerations of health, safety, institutional liability, productivity, professionalism, and a high-quality working environment, taking into

consideration the conditions and circumstances existing in the particular workplace in question. A supervisor may request an assessment by the Office of Risk Management to help in the evaluation. Supervisors will document their decision in their files, and report approvals to their supervisors within a reasonable time.

3. Supervisors are responsible to give appropriate consideration to mothers who wish to breastfeed their infants in accordance with Federal regulations at work and to coordinate as necessary with the Office of Human Resources and the pertinent vice president as needed. Supervisors are also responsible to ensure mothers have reasonable accommodation to do so in a private, non-bathroom location.
4. A supervisor should consult his or her supervisor if there is any concern or question regarding an employee's request to bring a child into the workplace.

C. Responsibilities of a faculty member/instructor:

1. A faculty member/instructor's primary consideration must be for health, safety, institutional liability, productivity, professionalism and a high-quality learning environment. If any of these considerations are compromised, the faculty member/instructor has the duty and right to have the student remove the minor child.
2. A faculty member/instructor will evaluate health, safety, and institutional liability considerations in the classroom, taking into consideration the conditions and circumstances existing in the particular classroom in question. A faculty member may request an assessment by the Office of Risk Management to help in the evaluation. The faculty member/instructor will document the decision in their files.
3. A faculty member/instructor should consult his or her direct supervisor (e.g. unit Chair or Dean) if there is any concern or question regarding a student's request to bring a child into the classroom.

IV. DEFINITIONS

A "minor child" is defined as an individual under the age of 18 years who is not a student or employee of the university.

When a supervisor or faculty member is required to "document the decision" to grant or deny a request (See Sections B.2 and C.2), it is sufficient to note in an email to the next-level supervisor that health, safety, institutional liability, productivity, professionalism and the quality of the work or learning environment were considered, and that a determination was made whether they would be compromised by the presence of a minor child under the circumstances. Any relevant considerations, and the supervisor's rationale, should be described in reasonable detail.

V. PROCEDURES TO IMPLEMENT

Initial Request - A parent or caregiver must contact his/her supervisor or faculty member/instructor to discuss the reason(s) for the request and the time period of the request. The supervisor or faculty member may approve or deny the request. If approved, the supervisor or faculty member will notify his or her supervisor of the decision within a reasonable time.

PRESIDENTIAL CERTIFICATION

Approved by Arthur C. Vailas on
President, Idaho State University

Date: