1.0 REFERENCES

1.1 United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders also known as The Bangkok Rules;
1.2 Republic Act no. 10028, "Expanding Breastfeeding Promotion Act of 2009";
1.3 CSC MC No. 12 series of 2015 with subject "Exemption from the Establishment of Lactation Station in Government Agencies" dated August 17, 2015; and
1.4 Minutes of Staff Conference Meeting dated 14 and 21 January 2019.

2.0 RATIONALE

The Bureau of Jail Management and Penology (BJMP) is an institution mindful and concerned with the welfare of its personnel. It is an agency composed of male and female uniformed and non-uniformed staff. Presently, the total strength of female uniformed personnel is 3,516 and 60 for the non-uniformed, respectively. The BJMP supports R.A. No.10028 – the Expanded Breastfeeding Promotion Act of 2009 and protects the working women of the Jail Bureau, as well as female Persons Deprived of Liberty (PDL) by providing them safe and healthy working environment, taking into consideration their maternal roles. Hence, this circular adopts, encourages, protects and supports the practice of breastfeeding in the National Headquarters, Regional Offices and all district, city and municipal jails nationwide, and provides specific measures for mothers to continue expressing the practice of breastfeeding.

3.0 DEFINITION OF TERMS

As used by this memorandum circular, the following definitions are adopted:

Bottle feeding – the method of feeding an infant using a bottle with artificial nipples, the contents of which can be expressed breastmilk, formula milk or any type of fluid for babies.

Breastfeeding – the method of feeding an infant directly from a mother’s breast.

Breastmilk – the human milk from a mother.

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Jail Director
Chief, BJMP

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Expressed breastmilk – the human milk which has been extracted from the breast by hand or by breast pump. It can be fed to an infant using a dropper, nasogastric tube, a cup and spoon, or a bottle.

Expressing breastmilk – the act of extracting human milk from the breast by hand or by pump into a container.

Formula feeding – the feeding of a newborn with infant formula usually by bottle feeding. It is also called artificial feeding.

Health personnel – are jail officers with health background who manage and/or administer the entire operation of health institutions and/or are involved in providing maternal and child health services in jails.

Infant – a child within zero (0) to twelve (12) months of age.

Infant formula – the breastmilk substitute formulated industrially in accordance with applicable Codex Alimentarius standards, to satisfy the normal nutritional requirements of infants up to six (6) months of age, and adapted to their physiological characteristics.

Lactation management – the general care of a mother-infant nursing couple during the mother’s prenatal, immediate postpartum and postnatal periods. It deals with educating and providing knowledge and information to pregnant and lactating mothers on the advantages of breastfeeding, the risks associated with breastmilk substitutes and milk products not suitable as breastmilk substitutes such as, but not limited to, condensed milk and evaporated milk, the monitoring of breastfeeding mothers by health workers and breastfeeding peer counselors for service patients to ensure compliance with the Department of Health, World Health Organization (WHO) and the United Nations Children’s Fund (UNICEF) on the implementation of breastfeeding policies, the physiology of lactation, the establishment and maintenance of lactation, the proper care of the breasts and nipples, and such other matters that would contribute to successful breastfeeding.

Lactation station – private, clean, sanitary, and well-ventilated room or area in the workplace or public places where nursing mothers can wash up, breastfeed or express their milk comfortably and store this afterward.

Nursing employee/personnel – any female worker, regardless of employment status, who is breastfeeding her infant and/or young child.

Nursing PDL – female PDL who is breastfeeding her infant and/or young child.

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Republic Act – refers to Republic Act No. 10028.

Young child – a child from the age of twelve (12) months and one (1) day up to thirty-six (36) months.

4.0 OBJECTIVES

4.1 This circular aims to:

a. Promote and encourage breastfeeding to all working mothers in the Bureau taking into consideration their maternal functions, likewise encourage nursing PDL to practice and give importance on breastfeeding;

b. Support the maternal duties and enhance mother-infant relationship through practice of breastfeeding; and

c. Provide a clear guideline in implementing a designated “Lactation Station” in the national office, regional offices and all jails nationwide.

5.0 POLICIES AND GUIDELINES

5.1 Establishment of Lactation Stations. Republic Act, Chapter 3, Section 11 states that, “all health and non-health facilities, establishments or institutions (including BJMP) shall establish lactation stations.” Further, lactation stations shall be adequately provided with the necessary equipment and facilities, such as:

a. Private room with door that locks (in offices) or a private space/area;

b. Clean and adequately ventilated and well lighted;

c. Comfortable chair and table;

d. Access to or provision of hot and cold running water and soap;

e. Access to Electrical outlet- for breast milk pump equipment;

f. Refrigerator for storage of breast milk;

g. Wastebasket;

h. Bulletin board with informative materials;

i. Disinfecting solution;

j. Reminder on: “First Come, First Serve Policy” and care and cleaning of room after use; and

k. Lavatory for hand washing unless there is an easily-accessible lavatory nearby.

5.2 For the offices, the recommended area for the lactation station must have a minimum dimension of 2 meters by 2 meters as it allows for a 1.5 meter radius circle and located in a safe area suitable for preparation and storage of expressed milk. The Directorate for Health Service (DHS) or Division may be used if available. In female dormitories, a designated secluded space or area can serve as lactation station to be used as need arises or on scheduled basis.

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5.3 A refrigerator must be provided to store the expressed milk during working days. The breast milk should be labelled with mother’s name and date of collection and taken home daily. For nursing PDL, collected milk can be stored in refrigerator temporarily with proper labelling, and respective visitors will take home the collected breast milk on a daily basis.

5.4 Lactation Period- A work assignment of nursing personnel should be flexible for them to express their milk 2-3 times throughout the work day. The Republic Act, Section 12 provides that, “Nursing employees shall be granted break intervals in addition to the regular time-off for meals to breastfeed or express milk. These intervals, which shall include the time it takes an employee to get to and from the workplace lactation station, shall be counted as compensable hours worked. The Department of Labor and Employment (DOLE) may adjust the same: Provided, that such intervals shall not be less than a total of forty (40) minutes for every eight (8)-hour working period.”

5.5 A nursing PDL can utilize the lactation station to express their milk 3-4 times a day accompanied by a female custodial personnel. Rule 48 of United Nation Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, also known as the Bangkok Rules, specified that the nursing prisoners shall not be discouraged from breastfeeding their children unless there are specific health reasons to do so.

5.6 It is mandated by the Republic Act to conduct education, continuing information, re-education and training programs that shall be attended by health personnel and other allied professionals on current and updated lactation management. Breastfeeding information is essential for both personnel and PDL to make them informed on decisions regarding infant feeding and to support breastfeeding mothers in the workplace and those incarcerated.

5.7 Encourage, support and promote exclusive breastfeeding. The Regional Health Service Division shall include this program in the health education as specified in the Republic Act to take strict measures to prevent any direct or indirect form of promotion, marketing, sales of infant formula or any breast milk substitutes within the lactation station.

5.8 Providing an atmosphere of support for nursing personnel from their direct supervisor and co-workers and PDL by their fellow PDL shall be encouraged.

5.9 The following must be observed in the utilization of the Lactation Station:

   a. The Lactation Station is open or accessible daily, Monday to Sunday, from 8am-6pm or during office hours.

   b. The station should be used for breastfeeding or expressing milk through breast milk pump only. Bottle feeding is strictly prohibited inside the station. Changing of diapers should be done in another area or in designated area.

   c. To provide privacy, only the nursing employees are allowed inside the station for 15-30 minutes at most. Only minimal belongings are allowed due to space constraints.

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MEMORANDUM CIRCULAR

POLICY ON LACTATION STATION

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d. Eating, sleeping or loitering inside the station are not allowed.
e. Door at the station should be kept closed at all times for privacy purposes.
f. Cleanliness during and after using the station must be observed.
g. For PDL, a female jail nurse on duty or female custodial officer may be asked to assist/supervise.
h. The use of the station is on a first-come, first-served basis. However, users must be watchful of the time to give chance to other lactating mothers.

5.10 The DHS shall conduct continuing information education to all female personnel and female PDL about maternal nutrition and proper nourishment for sustainable breastfeeding program. Likewise, encouraged is the participation in the observance of breastfeeding month as declared by the Department of Health.

6.0 MISCELLANEOUS

6.1 The establishment of a lactation station is not mandatory but encouraged by the Directorate for Health Service.

6.2 Department of Health Certification. Any facility or establishment under the BJMP satisfying the minimum requirements in the establishment of a lactation station and the lactation periods relative to proper lactation, may apply with their respective Local Government Units for a Working Mother-Baby Friendly Certification.

6.3 Incentives. Chapter V, Section 19 of the Republic Act states that government facilities shall receive an additional appropriation equivalent to the savings they may derive as a result of complying with the provisions of the Republic Act. The additional appropriation shall be included in their budget for the next fiscal year.

In addition, the Department of Budget and Management shall allocate funds equivalent to the savings of the government agency and issue guidelines on how to access such appropriation.

6.4 Funding- Chapter V, Section 17 of the Republic Act states that government agencies, like BJMP, shall use their respective budget for gender and development or the budget for repairs, maintenance and materials acquisition in the establishment of a lactation station.

6.5 For jail facilities that cannot provide yet a space for this purpose, the jail warden may apply for exemption in accordance with CSC Circular No.12 series of 2015, dated August 17, 2015.

7.0 SEPARABILITY CLAUSE

If any clause, sentence, paragraph or part of this policy shall be declared invalid, the remainder of this policy or any provision not affected thereby shall remain in force and effect.

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8.0 REPEALING CLAUSE

All other existing memorandum circulars or policies which are contrary or inconsistent herein are hereby repealed, amended or modified accordingly.

9.0 EFFECTIVITY

This Memorandum Circular (MC) shall take effect fifteen (15) days from filing thereof with the Office of the National Administration Register (ONAR), University of the Philippines Law Center (UPLC) in accordance with Sections 3 and 4, Chapter II, Book VII of Executive Order No. 292, otherwise known as the "Administrative Code of 1987".

10.0 MONITORING CLAUSE

As full execution of this Memorandum Circular, constant supervision shall be strictly observed by the DHS and its regional counterparts determined by existing resources, both manpower and instruments such as record logbook and lactation program assessment form. Proof of compliance shall be attached with After Activity Report to be submitted to the DHS and its regional counterparts.
ANNEX A

LACTATION PROGRAM ASSESSMENT FORM

1. REGIONAL PROFILE

<table>
<thead>
<tr>
<th>Name of Regional Office</th>
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<tbody>
<tr>
<td></td>
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<tr>
<td>Address</td>
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<tr>
<td>Contact Number</td>
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<tr>
<td>Regional Director</td>
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<tr>
<td>Name of Division Chief, Health Service</td>
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<tr>
<td>Medical Officer</td>
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<td>Number of Regional Nurses assigned</td>
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<td>Date of Inspection</td>
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<tr>
<td>Inspection Team</td>
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<tr>
<td></td>
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<tr>
<td>Number of Personnel</td>
</tr>
<tr>
<td>Male:</td>
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<tr>
<td>Number of breastfeeding personnel</td>
</tr>
</tbody>
</table>

2. DEPARTMENT OF HEALTH ACCREDITATION

- Availability of Lactation room for expressing milk  Yes
- Is the facility a certified Mother-baby friendly workplace?  Yes
- Date of accreditation
- No
- Others please specify

3. LACTATION ROOM CHECKLIST

<table>
<thead>
<tr>
<th>A. MILK EXPRESSION ROOM</th>
<th>YES</th>
<th>Yes, but needs improvement</th>
<th>NO</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Room is clean</td>
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<td>2. Comfortable and pleasant</td>
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<td>3. Adequate room lighting</td>
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<td>4. Shielded from view</td>
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<td>5. Convenient, sanitary, and safe</td>
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<td>6. Available as long as needed by the personnel</td>
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<td>7. Comfortable and pleasant</td>
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<td>8. Adequate room lighting</td>
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<td>9. Shielded from view</td>
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<td>10. Breastfeeding pamphlets and other informative materials</td>
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<td>11. Room is located near a source of running water</td>
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<tr>
<td>12. Private room with door that locks</td>
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<tr>
<td>13. Electrical outlet</td>
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<tr>
<td>14. Comfortable chair and table</td>
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<tr>
<td>15. Refrigerator</td>
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<tr>
<td>16. Wastebasket</td>
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</tbody>
</table>

B. ADMINISTRATIVE SUPPORT
17. Flexible breaks for nursing personnel to express milk

4. OVERALL RECOMMENDATIONS


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