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**POLICY AND PROCEDURES**

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**OFFICE OF MANAGEMENT**

**Children in the Workplace**

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**PURPOSE**

This MAPP describes policies and procedures governing children in the workplace. These policies and procedures are necessary to avoid disruptions of CDER employees in the performance of their job duties, to reduce personal and property liability to the Federal Government, to protect the welfare and safety of employees’ children, and maintain a professional work environment.

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**POLICY**

1. Children are permitted at the workplace only for authorized events, such as Honor Awards Programs, Bring Your Children to Work Day, and family-friendly office gatherings in which children are explicitly welcome, including office parties and picnics.
2. Children are not permitted at the worksite as a result of daycare difficulties during normal business hours because of the legal liability of permitting such a practice. Managers should be liberal in granting leave to employees who need to make emergency day care arrangements when unforeseen problems arise.
3. No ill children are permitted to accompany any CDER employee to work.
4. Supervisors may, under unusual circumstances, permit employees to bring children to the workplace, if it is imperative that the employee is needed to assist management with fulfilling a specific Agency or Center mission. Supervisors may

- authorize children to be in the CDER workplace only in rare circumstances and for limited time periods.
5. Employees must ensure that work health and safety laws are followed at all times when bringing children into the workplace.
  6. If an employee has been granted permission to bring a child to the workplace because of an emergency, the child must be admitted as an official guest, and obtain a temporary badge.

**PRINCIPLES:**

If approval to bring children into the workplace has been granted, the employee:

1. Must be sensitive to, and respectful of the needs of other employees and customers.
  2. Must not expect other employees to care for their children.
  3. Must supervise and take responsibility for the safety of their children at all times.
  4. Must understand that children are not covered by the Federal Employees Compensation Act (FECA).
  5. If injured in federally occupied space, may bring a claim against the federal government as per the Federal Tort Claims Act.
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**REFERENCES**

1. Federal Tort Claims Act (FTCA), 1946.
  2. Occupational Safety and Health Act (OSHA), 1970.
  3. Federal Employees Compensation Act (FECA), 5 U.S.C. Chapter 81, revised, Compensation For Work Injuries.
  4. 5 USCS § 2105, definition of Employee.
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**RESPONSIBILITIES**

**Employees will:**

- Secure permission from their supervisors before bringing children into the workplace.
- Ensure his or her children behave appropriately while in the workplace.
- Ensure his or her children stay within visual range at all times.
- Be responsible for any damage caused by his or her children.

**Supervisors will:**

- Grant employees permission to bring children to the workplace only under unusual circumstances and for authorized events. This permission is granted only for a short period of time.
- Be flexible in granting accrued leave to employees who need to make emergency child care arrangements.

**DEFINITIONS**

**CDER Employee:** For the purpose of this MAPP, an individual who is appointed in the civil service, or assigned to the Commissioned Corps to work for CDER. A person engaged in the performance of a Federal function under authority of law or an executive act.

**Child: (Minor) -** Any person who is under the age of legal competence (generally 18 years) for whom a CDER employee has assumed either temporary or permanent responsibility. In this MAPP, children may include nieces, nephews, foster children, or the children of friends or neighbors.

**EFFECTIVE DATE**

This MAPP is effective upon date of publication.

**CHANGE CONTROL TABLE**

Effective Date	Revision Number	Revisions
10/14/04	Initial	n/a.
4/2/15	Rev. 1	Significant changes to the Policy section. Added Attachment 1, BYCTWD Guidelines.
1/25/2021	Rev. 2	Editorial changes only.

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**ATTACHMENT: Bring Your Child To Work Day Guidelines****Background:**

The first National Take Our Daughters To Work Day was held in April, 1993, sponsored by Ms. Magazine. In April 2003, the program was formally expanded to include boys.

Companies and agencies who have participated in the Take Our Daughters And Sons To Work Day find it to be a low-cost way to engage employees, improve employee loyalty and morale, and reduce attrition. FDA University supports Bring Your Child To Work Day (BYCTWD), and provides limited funding for educational programs on the White Oak Campus for children 8 – 17 years of age.

CDER Supports FDA's BYCTWD efforts and encourages the children of CDER employees to learn about the FDA by shadowing their parents and participating in FDA's BYCTWD programs.

**Employee Responsibilities:**

1. Employees are required to assure their children stay within visual range at all times.
2. Employees must not allow their children to be left unattended in copy rooms, break rooms, hallways, conference rooms, or any common areas. This includes the common areas outside of FDA-occupied structures.
3. Employees must not allow their children to be left unattended, even if they are within visual range, on the bridges or balconies of FDA's White Oak campus or of any FDA-occupied structure.
4. Employees must abide by the FDA BYCTWD age requirements, as program activities are specifically designed for children between the ages of 8 and 17 years.
5. Employees will be held responsible for any vandalism or damage caused by their children during BYCTWD.
6. Employees will be responsible for any injury to his or her child, if the child was left unattended during BYCTWD.

**FDA, CDER or White Oak Campus Responsibilities:**

1. Neither FDA, CDER, the White Oak Campus, nor any other FDA facility will be held responsible for injury to any child left unattended by any parent or employee during BYCTWD.