



Protecting Breastfeeding During Mother's Return to Work

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- The goals of this presentation are to describe the accommodations required by the 2010 Fair Labor Standards Act (FLSA) Break Time for Nursing Mothers Provision, give examples of supportive work and child care environments, and identify practical ways to accommodate breastfeeding mothers in the workplace.
- Breastfeeding is a public health imperative and breastfeeding support in the workplace is a health equity strategy.
- A present workforce is a productive workforce and breastfeeding support leads to lower absenteeism and higher productivity.
- Workplace support is one strategy to normalize breastfeeding and to enable moms and babies to reap the health benefits of breastfeeding.
- Unsupportive work policies and insufficient parental leave are among the top six barriers to breastfeeding success.
- Nationally, 60 percent of breastfeeding mothers do not meet their breastfeeding goals while 60 percent of mothers with children three or younger work at least part time. A significant number of mothers stop breastfeeding within eight weeks of giving birth.
- The goal of any workplace accommodation is to ensure that all employees can successfully perform their job tasks with dignity and free from discriminatory treatment.
- The Break Time for Nursing Mothers Provision was passed in 2010 as part of the Affordable Care Act. The law provides for reasonable break time to express milk for up to one year. Law acknowledges milk expression as a biological need.
- Reasonable break time with 1) space to express milk that is not a bathroom, 2) space that is shielded from view, and 3) free from intrusion.
- Exceptions to this provision are very rare. Certain salaried employees are exempt.
- In addition, undue hardship must be proved by the employer for companies with under 50 employees.
- The Business Case for Breastfeeding is a comprehensive program designed to educate employers on supporting breastfeeding in the workplace. There are innovative and inexpensive solutions to accommodate breastfeeding employees for every industry.
- In order to promote systems change, the Business Case for Breastfeeding is aimed at decision makers and addresses these core concerns: health care costs, retention, productivity, attendance, and morale. More information is available at the Office on Women's Health at www.womenshealth.gov.

- It is easier to schedule around pre-planned milk expression breaks rather than unplanned absences. Tips that work across all industries include using regular break times for milk expression, using flexible space that can be barred from intrusion, and planning ahead.
 - The best way to accommodate breastfeeding in the workplace is to develop a policy that supports all employees and that implements industry-specific accommodations, including the specific roles of both managers and employees.
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