



Breastfeeding Support Policy

Rationale

The Breastfeeding Support Policy was developed to provide businesses with guidelines and guidance on ways to support breastfeeding employees.

Section 4207 of the Patient Protection and Affordable Care Act (ACA) revises the Fair Labor Standards Act (FLSA) by requiring employers to provide nursing mothers with 1) reasonable break time to express breast milk for one year after her child's birth each time such employee has the need to express breast milk; and 2) a private space, other than a bathroom, that is shielded from view and free from intrusion of others, to express breast milk. This legislation has significant impact on worksite accommodations for nursing mothers. In the United States, over one-third of all mothers working outside the home have children younger than two years of age. Many of these mothers desire and intend to exclusively breastfeed until their babies reach six months of age, at minimum. However, according to the Centers for Disease Control and Prevention, while 76.5 percent of mothers in the United States breastfeed from the birth of their child, only 27% of babies are still breastfed at twelve months of age.

There are many reasons why nursing mothers are unable to breastfeed for as long as they desire and returning to work is a primary factor (Wenjun & Acosta, 2002). When working mothers receive workplace support, such as adequate space and time to express breast milk, support from supervisors and colleagues, and education, they are often able to continue to successfully breastfeed their child. Another complicating factor is lack of privacy in the workplace, as well as the commonly held fear that nursing mothers will be perceived as less productive if they choose to express breast milk during the workday.

Benefits

Supportive breastfeeding policies and practices in the workplace not only benefit the working mother but also provide a number of benefits to the baby and the employer.

For Agencies

- *Productivity* - When support is provided, employees who breastfeed tend to have fewer absences and tardiness because their infants are more resistant to sickness.
- *Organizational Loyalty* - Employees often feel increased loyalty to the business because the implementation of an effective support program demonstrates that the agency supports the employee, her family, and her health.

- *Recruitment and Retention* - Business support programs serve as a recruitment tool. Businesses that offer effective programs often have higher retention rates for female employees, 94.2 percent compared to the national average of 59 percent (Gartner et al, 2005).
- *Job satisfaction* - Having effective programs demonstrates support for employees and their health. Businesses that display support for their employees facilitate greater workplace satisfaction. (Slavit, 2009).

For Mothers

- *Productivity* - Nursing mothers who use these programs in the workplace often demonstrate higher productivity (Berger et al, 2005). This is frequently attributed to a lessened emotional and psychological burden associated with being away from the baby, as well as higher energy and greater optimism.
- *Fewer Distractions* - Nursing mothers who are able to express breast milk in the workplace are better able to concentrate during the workday. A breast infection and/or a drop in her ability to produce milk can result if a mother is unable to express breast milk each time she feels the need to do so.
- *Absenteeism*- Nursing mothers who use these programs and facilities exhibit lower absenteeism (Slavit, 2009).
- *Health* – Breastfeeding can lower rates of diabetes, breast cancer, ovarian cancer and postpartum depression for mothers.

For Babies

- *Health* - Breastfeeding passes on antibodies to babies, which help protect their immune systems from disease. Breastfed babies tend to have fewer and less severe instances of certain short-term illnesses, including bacterial meningitis, diarrhea, ear infections, respiratory infections, and urinary tract infections (Murtagh & Moulton, 2011).
- *Obesity* - Babies who are breastfed have a reduced risk of both childhood and adult obesity (Drago et al, 2010).
- *Reduced Risk of SIDS*- Exclusive or partial breastfeeding is correlated with a decreased risk of sudden infant death syndrome (Vennemann et al., 2009).

Policy Guidelines

Business Name recognizes the responsibility a mother has to both her job and her child when she returns to work. We are aware that there are many health benefits associated with breastfeeding and that moms may miss less work caring for sick kids if they breastfeed.

Business Name supports mothers who breastfeed at work and we are committed to helping our employees continue breastfeeding when they return.

Business Name will allow breastfeeding employees to have a flexible schedule for breastfeeding or expressing breast milk. The time allowed will not exceed the normal

time allowed for lunch and breaks. For time above and beyond normal lunch and breaks, employees can use leave or the employee can work an adjusted schedule.

Business Name is not required to compensate an employee who is receiving reasonable break time spent to express breast milk.

Business Name will provide, at little or no cost to the employee, the following services to show our commitment to this belief:

- The addition of a company policy or subtopic, such as “In Support of Breastfeeding,” under an existing policy.
- A description of worksite accommodations and options available to women who breastfeed presented during new employee orientation.
- A reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child's birth each time an employee has need to express the breast milk. Because a flexible schedule is important, beginning and ending work times can be adjusted to accommodate these breaks.
- A private space (NOT a bathroom) that is shielded from view and free from intrusion from coworkers and the public, with a comfortable chair that breastfeeding employees can use to pump their breast milk during the workday. A sink and either a cooler or refrigerator for breast milk storage will be in the room or nearby. (A community fridge will suffice for breast milk storage.)
- Employee education that will explain why breastfeeding moms need support from their employer and co-workers.

This policy represents the minimum requirements that an employer must provide under the Fair Labor Standards Act. In addition, an employer that employs less than 50 employees shall not be subject to these requirements, if such requirements would impose an undue hardship by causing the employer significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer's business.

Implementation

Time for Breaks

Businesses should provide nursing mothers with a reasonable break time to express breast milk whenever needed throughout the workday. The frequency and duration of time necessary to express breast milk may vary depending on the needs of the nursing mother.

Location of Breaks

Businesses should provide nursing mothers with a private space, other than a bathroom, that is shielded from view and free from intrusion of others to express breast milk. While the space does not need to be exclusively dedicated to this purpose, a temporary space that meets the other requirements listed above is appropriate.

Compensation

Employers are not required to compensate nursing mothers for breaks taken to express breast milk. However, if a nursing mother chooses to use an established compensated break time as a time to express breast milk, then she must be compensated as she normally would.

Best Practices

- A clean, permanent nursing mother's room created for the use of nursing mothers.
- A room that locks from the inside (which still allows entry from Emergency Response Personnel) or other way to secure the room from intrusion while being used.
- A sink with hot and cold running water.
- A refrigerator with a freezer section and freeze ice packs provided exclusively for the storage of breast milk.
- Access to electricity.
- Multi-user hospital grade breast pumps for quick and efficient pumping.
- A daily cleaning regimen for the private space, provided by the business.
- Comfortable seating (e.g. ergonomic chairs, recliners).
- Soft lighting and calming décor.
- Access to pregnancy and breastfeeding pamphlets, books, videos, and other resources.
- Natural lighting in the provided space.
- A sign-up sheet, either online or posted, for use of the nursing mother's room.
- A comfortable temperature to ensure that nursing mothers can initiate breast milk flow.
- A microwave for the sterilization of materials and supplies.
- Contact information for consultants and guidance counselors.
- Posted information on events and classes for parents.
- Prenatal education during lunch breaks for both mothers and fathers (i.e., "lunch and learns").
- Breastfeeding literature for nursing mothers that addresses common issues (e.g. maintaining breast milk supply).
- Prenatal and breastfeeding education for co-workers to demonstrate the necessity and benefits of expressing breast milk in the workplace.
- A handbook for management that details the policy of the nursing mother's program.
- A program manager or point of contact who is available and easily accessible for information regarding the nursing mother's program.

- Opportunities for feedback to the business from employees about the nursing mother's program and/or rooms.
- A full-length mirror to allow members to check/adjust their clothing before leaving the nursing mother's room.
- A clock.
- A bulletin board for posting pumping schedules, notices, and photos of the mother's babies which can encourage breast milk flow.
- Hooks to hang mothers' bags of attachment kits and additional items needed when using the room.

Compliance

Use the above recommendations as a *guide* for your business. Implementing a policy that will fit your business and benefit your employees is the overall goal and policy compliance should be considered for this purpose. Your worksite wellness committee may be the perfect group to ensure this policy will remain a priority.

Final Statement

By implementing this model policy in its entirety or choosing to tailor this policy to your business' needs, you are taking a great first step in creating a healthy environment for the breastfeeding employees at your worksite!

Definition of Terms

- **Breastfeeding:** The method of feeding a baby with milk directly from the mother's breast; suckling or nursing; giving a baby milk from the breast.
- **Expressing Breast Milk:** The process by which a woman expels milk from her breast. Breast milk can be stored and fed to the baby at a later point in time. Milk may be expelled manually using the hands or with a pump especially designed for expressing breast milk.
- **Private Space:** A room that nursing mothers can use to express milk. The space must be shielded from view and free from intrusion of others. There should be a place for the mother to sit and a flat space other than the floor to place the breast pump and other supplies. The space should provide access to electricity for the use of the breast pump.

Resources/References:

- 1) South Dakota Department of Health <http://bestfeeding.org/>
- 2) Affordable Care Act - SEC. 4207 - REASONABLE BREAK TIME FOR NURSING MOTHERS <http://www.usbreastfeeding.org/Portals/0/Workplace/HR3590-Sec4207-Nursing-Mothers.pdf>
- 3) Centers for Disease Control and Prevention <http://www.cdc.gov/breastfeeding/pdf/2013breastfeedingreportcard.pdf>
- 4) What can Businesses Do to Support Breastfeeding? <http://www.nutritionnc.com/breastfeeding/PDFS/ESMMBreastfeed-HiRez.pdf>
- 5) Ryan, A. S., Wenjun, Z., & Acosta, A. (2002). Breastfeeding continues to increase into the new millennium. *Pediatrics*, 110, 1103-1109.
- 6) Gartner, L.M., Morton, JI, Lawrence, R.A., et al. (2005). Breastfeeding and the use of human milk. *Pediatrics*, 115(2), 496-506.
- 7) Slavit, W.I. (Ed.). (2009). *Investing in workplace breastfeeding programs and policies: An employer's toolkit*. Washington, DC: National Business Group on Health
- 8) Murtagh, L, & Moulton, A.D. (2011). Working mothers, breast feeding, and the law. *American Journal of Public Health*, 101(2), 217-223.
- 9) Drago, R., Hayes, J., & Youngmin, Y. (2010). *Better health for mothers and children: Breastfeeding accommodations under the Affordable Care Act*. Washington, DC: Institute for Women's Policy Research.
- 10) Vennemann, M.M., Bajanowski, T., et al. (2009). Does breastfeeding reduce the risk of sudden infant death syndrome? *Pediatrics*, 123(3), 406-410.
- 11) United States Office of Personnel Management. Guide for Establishing a Federal Nursing Mother's Program January 2013.

