

Supporting Worksite Lactation

Julie Stagg, MSN, RN, IBCLC, RLC
State Women's and Perinatal Health Nurse Consultant
State Breastfeeding Coordinator
Office of Title V and Family Health Division for
Family and Community Health Services
Texas Department of State Health Services

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Family friendly. Worker friendly. Business friendly.



We are an international leader in conducting research and providing programs that promote healthy living for children, their families and communities.

Our mission: To advance health and healthy living for children and families through innovative research, cutting edge community-based programs, and dissemination of evidence-based practices.

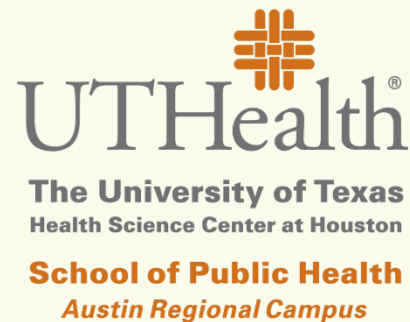
Our vision: *Healthy children in a healthy world*

www.msdcenter.org



Overview

- Texas Mother-Friendly
 - Technical Assistance and Support Program
 - Email us at info@texasmotherfriendly.org



Today's Speaker



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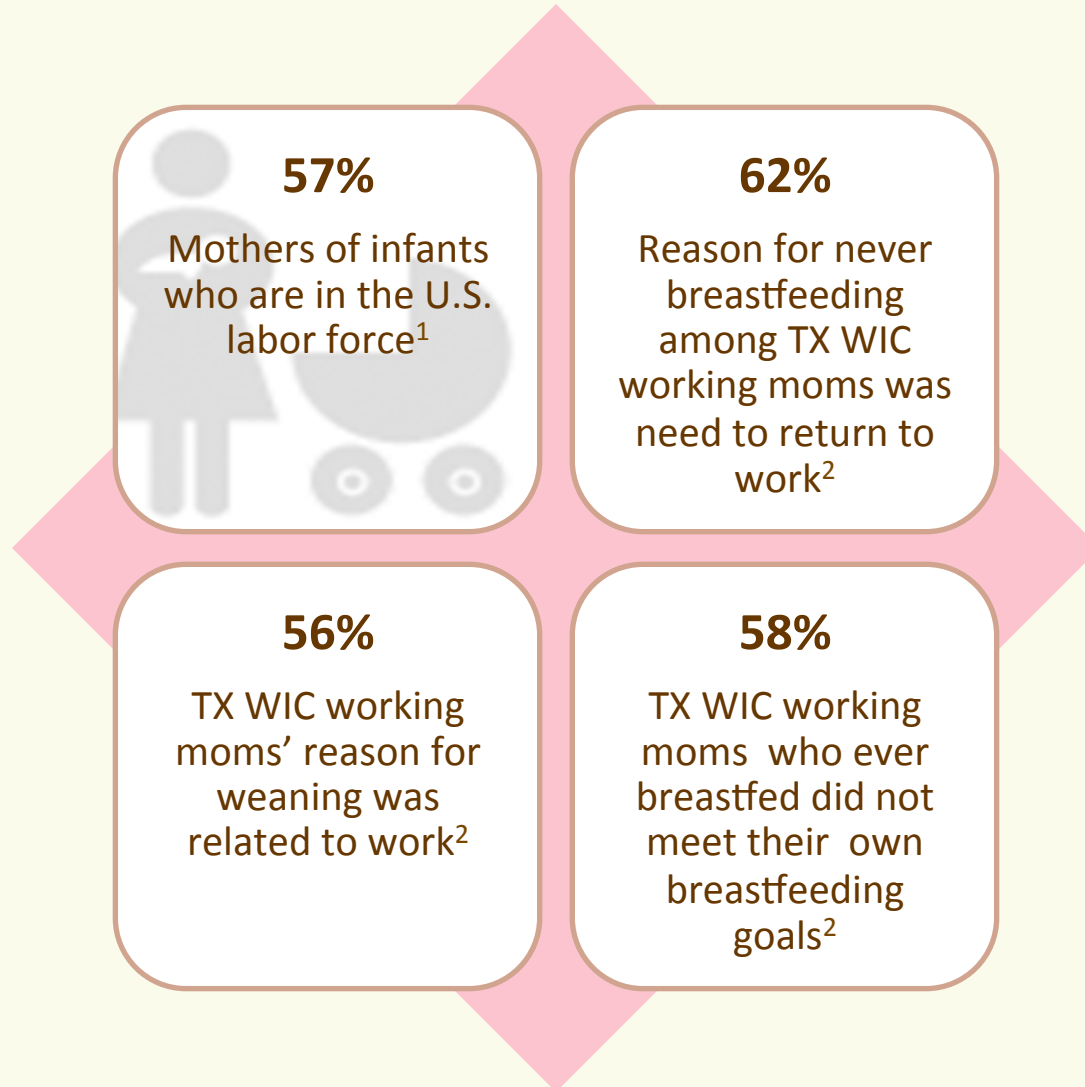
Outline

- Supporting breastfeeding in the workplace is good for families AND good for business
- What state and federal policies have to say about working and breastfeeding
- What resources are available to help you develop a worksite breastfeeding support policy
- How your workplace can become recognized as a Texas Mother-Friendly Worksite
- Next steps
- Questions

**WORKPLACE SUPPORT OF
BREASTFEEDING IS GOOD FOR
FAMILIES AND GOOD FOR BUSINESS.**



Returning to work is the leading barrier to breastfeeding among working mothers



1. Bureau of Labor Statistics, U.S. Department of Labor, <http://www.bls.gov/news.release/famee.toc.htm> (Tables 5 and 6), 2013 annual averages. Available <http://www.dol.gov/wb/stats/recentfacts.htm#mothers>

2. DSHS. Texas WIC Infant Feeding Practices Survey. 2013.

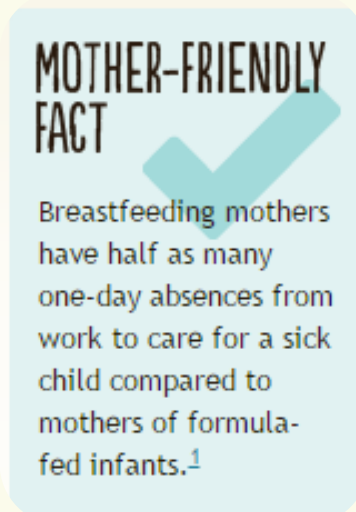
Worksite lactation support

Definition: Basic arrangements that allow mothers to comfortably express and store breastmilk when separated from their babies during the work day.



Business and Worker Friendly

- Breastfeeding employees miss work less often.
 - Parents - both mothers and fathers - whose infants are breastfed miss work less often because breastfed infants are healthier!
- Breastfeeding lowers turnover rates.
 - employees are more likely to return to work after childbirth, return from leave sooner, and remain in the same job position longer



¹ Cohen R, Mrtek MB & Mrtek RG. (1995). Comparison of maternal absenteeism and infant illness rates among breastfeeding and formula-feeding women in two corporations. American Journal of Health Promotion. 10(2):148-153.

Business and Worker Friendly

- Breastfeeding boosts productivity and loyalty
 - Employees report improved morale, better satisfaction with their jobs, and higher productivity
- Breastfeeding lowers health-care costs
 - reduced health-care costs for breastfed infants translate into lower medical insurance claims for businesses

MOTHER-FRIENDLY FACT

CIGNA's lactation support program resulted in an annual health-care savings of \$240,000, 62% fewer prescriptions, and \$60,000 savings in reduced absenteeism.¹⁵

¹⁵ Dickson V, Hawkes C, Slusser W, Lange L, & Cohen R. (2000). The positive impact of a corporate lactation program on breastfeeding initiation and duration rates: help for the working mother. Unpublished manuscript. Presented at the Annual Seminar for Physicians, co-sponsored by the American Academy of Pediatrics, American College of Obstetricians and Gynecologists, and La Leche League International, on July 21, 2000.

Family and Texas Friendly

Mother-Friendly Worksites:

- Contribute to the health of an entire population by ensuring healthier mothers and babies
- Contribute to a healthier, more competitive workforce of the future through optimizing early childhood development and through prevention of obesity and chronic disease

Public Health Impact

- Many important health, psychosocial, economic, and environmental benefits-\$31.2 billion/yr
- Breastfeeding is protective
 - For the child: ear infection, GI infection, respiratory infection, type 2 diabetes, SIDS, leukemia, obesity , necrotizing enterocolitis, allergic disease, asthma
 - For the mother: recovery from pregnancy, CVD, breast cancer, ovarian cancer, type 2 diabetes, weight maintenance, RA

Simple, easy, and affordable

- Flexible programs can be designed to meet the needs of both the employer and employee
- With a little creativity and commitment, supportive environments can be created in just about *any* work setting



WHAT STATE AND FEDERAL POLICIES HAVE TO SAY ABOUT WORKING AND BREASTFEEDING



Federal Law

The Patient Protection and Affordable Care Act amended section 7 of the Fair Labor Standards Act to require employers to provide:

- reasonable break time for an employee to express breast milk for her nursing child for one year after the child's birth *each time such employee has need to express the milk*
- Time used in addition to usual employer-allowed breaks does not need to be paid.

Effective March 23, 2010

Federal Law

The Patient Protection and Affordable Care Act amended section 7 of the Fair Labor Standards Act to require employers to provide:

- a place, **other than a bathroom**, that is *shielded from view and free from intrusion* from coworkers and the public, which may be used by an employee to express breast milk.
- Flexible options for space acceptable as long as requirements met.

Effective March 23, 2010

Federal Guidance

- U.S. Department of Labor:
 - Fact Sheet #73: Break Time for Nursing Mothers under the FLSA
 - <http://www.dol.gov/whd/nursingmothers/>



QUESTIONS ABOUT THE FEDERAL LAW?

Visit the [U.S. Department of Labor's Wage and Hour Division](#) online or call their help line at 1-866-4USWAGE (1-866-487-9243).

Federal Guidance

- U.S. Equal Employment Opportunity Commission
 - http://www.eeoc.gov/laws/types/pregnancy_guidance.cfm

Policy Guidance Related to Pregnancy Discrimination

- [Enforcement Guidance: Pregnancy Discrimination And Related Issues](#)
- [Questions and Answers about the EEOC's Enforcement Guidance on Pregnancy Discrimination and Related Issues](#)
- [Fact Sheet for Small Businesses: Pregnancy Discrimination](#)
- [The Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964](#)
- [Employer Best Practices for Workers with Caregiving Responsibilities](#)

Federal Guidance-EEOC

b. Discrimination Based on Lactation and Breastfeeding

- Because lactation is a **pregnancy-related medical condition**, less favorable treatment of a lactating employee may raise an inference of unlawful discrimination.
- An employee **must have the same freedom to address such lactation-related needs that she and her co-workers would have to address other similarly limiting medical conditions**. For example, if an employer allows employees to change their schedules or use sick leave for routine doctor appointments and to address non-incapacitating medical conditions, then it must allow female employees to change their schedules or use sick leave for lactation-related needs under similar circumstances.
- **Finally...less favorable treatment affects only women and therefore is facially sex-based...**

Texas

- Texas Health & Safety Code 165-Breastfeeding
 - Affirms a woman’s right to breastfeed in any location in which she “is authorized to be”
 - “Mother-Friendly” Business Designation
 - DSHS to make recommendations and create a model pilot MFW

Established 1995: <http://www.statutes.legis.state.tx.us/Docs/HS/htm/HS.165.htm>

Texas

Govt. Code 619: Right to express breast milk in the workplace

- (a) A public employer shall develop a written policy on the expression of breast milk by employees under this chapter.
- (b) A policy developed under Subsection (a) must state that the public employer shall:
 - (1) support the practice of expressing breast milk;
and
 - (2) make reasonable accommodations for the needs of employees who express breast milk.

Texas

- Govt. Code 619: Right to express breast milk in the workplace
 - Outlines responsibilities
 - Prohibits discrimination
 - **Public Employer:** a county, a municipality, or another political subdivision of this state, including a school district; or a board, a commission, an office, a department, or another agency in the executive, judicial, or legislative branch of state government, including an institution of higher education.



WHAT RESOURCES ARE AVAILABLE TO HELP YOU DEVELOP A WORKSITE BREASTFEEDING SUPPORT POLICY

Getting Started

Step 1: Get People on Board

Step 2: Form a Team

Step 3: Assess Your Site

Step 4: Develop Your Policy

Step 5: Plan Your Worksite

Step 6: Implement Your Plan

Step 7: Evaluate Your Program

Communication Tools

Additional Resources

FAQs

TexasMotherFriendly.org

Apply Now



Search

Related Sites

Family friendly. Worker friendly. Business friendly.



The Basics

Why it Matters

Build Your Program

Community

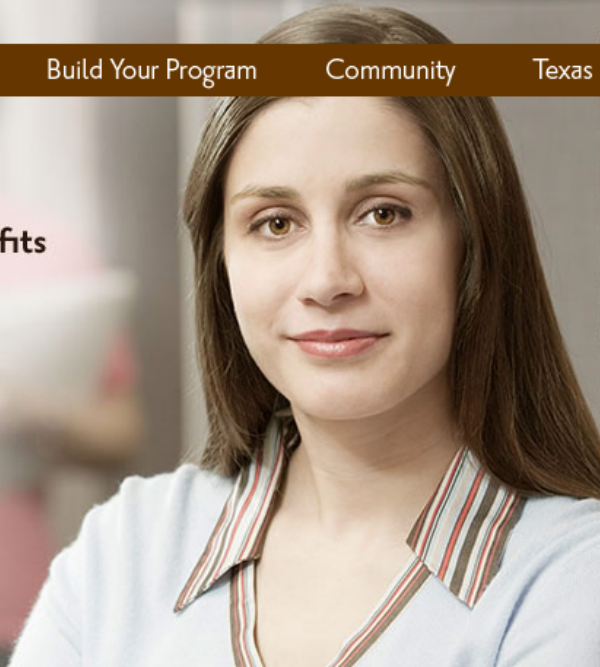
Texas Directory

“A woman’s choice to breastfeed benefits the family, the City, and society.”

Andy Rangel

Health Promotion Coordinator,
City of San Antonio

[Read Our Story](#)



Resources

- Employer toolkit to build your program
- Technical assistance and support
- Recognition once designated
- Educational resources (breastmilkcounts.com, literature)
- Outreach partner toolkit
- Nationally Recognized as a “Practice-Tested” Intervention by CDC-funded Center TRT

Develop a policy

Resources



TEMPLATE: Policy Development Guide [Download DOC 1.69 MB](#)

Explains why and how to develop a Mother-Friendly Worksite policy. Includes policy elements, information about laws related to worksite lactation support, a policy template, and sample policies from Texas Mother-Friendly Worksite



Developing Your Policy Presentation [Download PPT 14.01 MB](#)

Explains why and how to develop a Mother-Friendly Worksite policy.



Texas Mother-Friendly Worksite Policy Guidance-Condensed [Download DOC 1.26 MB](#)

Start here for a condensed primer on the basic policy requirements for Texas Mother-Friendly Worksite designation. Includes sample policies for a variety of worksite settings.

Policy 101 PPT

Basic requirements and samples

<http://texasmotherfriendly.org/program/develop-your-policy>

Implement a policy

Resources



Implementation Guide: Space [Download DOC 5.89 MB](#)

Planning guide for exploring the space needs and options for your organization's Mother-Friendly space.



Implementation Guide: Time [Download DOC 3.23 MB](#)

Planning guide for exploring the practical-time scheduling needs of implementing a Mother-Friendly program. It includes flexible scheduling opportunities for employees, a communication guide for supervisors, and implementation tools for integrating these



Implementation Guide: Education And Support [Download DOC 2.86 MB](#)

Planning guide to explore resources for promoting the program to employees and to provide ongoing education and support.

HOW YOUR WORKPLACE CAN BECOME RECOGNIZED AS A TEXAS MOTHER-FRIENDLY WORKSITE



Become recognized as a Texas Mother-Friendly Worksite

- ✓ Establish a policy
- ✓ Apply
- ✓ Be recognized

Establish a policy

- Supporting the practice of worksite breastfeeding that addresses the following:
 - work schedule flexibility, including scheduling breaks and work patterns to provide time for expression of milk
 - the provision of accessible locations allowing privacy
 - access nearby to a clean, safe water source and a sink for washing hands and rinsing out any needed breast-pumping equipment
 - access to hygienic storage alternatives in the workplace for the mother's breast milk

Apply

- Have your employee worksite lactation support policy close by.
 - submit your worksite's written employee lactation support policy.
- Be prepared to answer a few questions about your policy.
- Have your Worksite information ready.
 - In addition to providing a copy of your policy, you will be asked to confirm that your worksite meets the criteria for designation. We will also ask some questions about your worksite's location and contacts.

<http://texasmotherfriendly.org/worksite-application>

Becoming Designated

- Designation includes:
 - Ability to promote your business as Mother-Friendly
 - a certificate, logos and other resources to promote your achievement
 - Listing in the online directory of Texas Mother-Friendly Worksites

Congratulations to the Cities of Austin, San Antonio and Edinburg on being Mother-Friendly!



How about your City and County?

QUESTIONS?

*Today's webinar was recorded and
will be available online at*

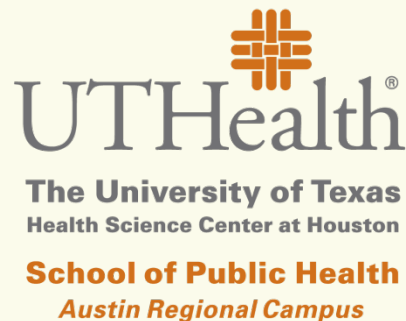
www.msdcnter.org

Next Steps

- In-depth Policy focused Webinar
 - Monday November 9th, 12-1pm
- Introductory Webinar (Repeat)
 - Wednesday, December 2nd, 12-1pm
- Additional resources: TexasMotherFriendly.org
- Email us at info@texasmotherfriendly.org

Today's webinar was recorded and
will be available online at
www.msdcntr.org

- A follow-up blog with answers to FAQs will be posted at msdcntr.blogspot.com
- Please fill out survey
- Questions? Email us at info@texasmotherfriendly.org



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