

Resource List for Employed Breastfeeding Mothers in the United States

from *Working and Breastfeeding Made Simple* by Nancy Mohrbacher, IBCLC, FILCA

U.S. Federal and State Laws That Protect Employed Breastfeeding Mothers

Affordable Care Act <http://www.hhs.gov/news/press/2011pres/08/20110801b.html>

Covers preventative services, including breastfeeding

- Support
- Supplies (such as breast pumps)
- Counseling

Fair Labor Standards Act (2010), Reasonable Break Time for Nursing Mothers law

<http://www.dol.gov/whd/regs/compliance/whdfs73.pdf>

Employers must provide workers with babies younger than 12 months old with the following:

- Reasonable time to pump during the workday
 - 2-3 pump sessions within an 8-hour work shift are considered “reasonable”
 - May be unpaid unless other employees have paid breaks
- A place to pump other than a bathroom, shielded from view & free from interruption
- Space for pump & cooler

This law applies only to hourly (not salaried) employees. It applies to employers with less than 50 employees, but an employer may apply for an “undue hardship” exemption. It is the employer’s responsibility to apply for this exemption and if they haven’t applied or received it, this law is still in force.

Check Your State Laws

Federal law does not preempt state laws, and some states provide even more protection. Check your state’s laws at: <http://www.ncsl.org/issues-research/health/breastfeeding-state-laws.aspx#State>

To File a Complaint

To file a complaint against an employer, go to: <http://www.dol.gov/wecanhelp/howtofilecomplaint.htm>

Online Resources for Breastfeeding Mothers and Employers

Supporting Nursing Mothers at Work: Employer Solutions

This government website from the U.S. Department of Health and Human Services Office on Women’s Health features hundreds of short videos organized by job type and common obstacles. Women in more than 200 businesses describe their experiences and practical solutions for implementing them in different work settings the worksite breastfeeding support required by the Affordable Care Act:

<http://www.womenshealth.gov/breastfeeding/employer-solutions/index.php>

Making It Work Toolkit

An online resource from New York state for breastfeeding mothers returning to work or school:

http://www.breastfeedingpartners.org/index.php?option=com_content&view=article&id=164&Itemid=411

The Business Case for Breastfeeding

A free government toolkit that includes color brochures for CEO, Human Resources Department, employed mothers. Download free at <http://www.womenshealth.gov/breastfeeding/government-in-action/business-case-for-breastfeeding/>