



Making Breastfeeding Work for Employers



West Central Public Health Partnership
Delta, Gunnison, Hinsdale, Montrose, Ouray, & San Miguel

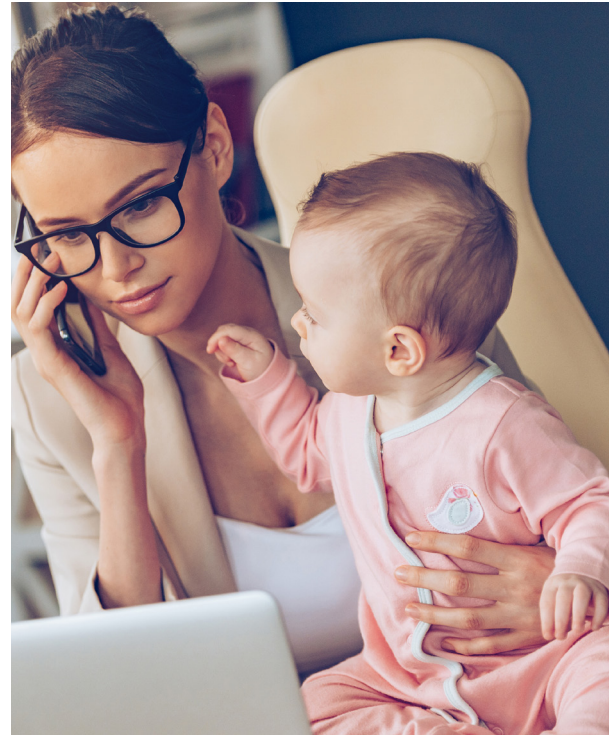


It's Good for Business

Providing support for new mothers at work is good for health and good for business! The West Central Public Health Partnership (WCPHP) Worksite Wellness Project is available to provide support to help your business comply with Colorado and federal laws and improve your bottom line.

Hundreds of companies across America provide lactation support programs as part of their family-friendly benefits platform. They've learned that lactation accommodations at work produce a **3-to-1 return on investment** due to:

- **Lower health care costs due to healthier babies and moms**
Mutual of Omaha found that their newborn health care costs are three times less when employees participate in a lactation program. They save \$2,146 for each employee!
- **Reduced rate of absenteeism due to infant illness (among both mothers and fathers)**
A major insurance company, CIGNA, found a 77% reduction in lost work time since babies who receive their mother's milk are healthier. The company saves more than \$60,000 per year in lower absenteeism rates.
- **Lower turnover rates**
A 9-company study found that the average return-to-work rate is 94% when a lactation program is provided.
- **Improved employee productivity and loyalty**
Many companies report that their employees are more productive and loyal when they provide women with lactation support, such as time and space to express milk while at work.



Help is available! The WCPHP Worksite Wellness Project can help Delta, Gunnison, Hinsdale, Montrose, Ouray, and San Miguel county businesses and worksites develop a lactation policy and create lactation spaces. Project staff will work hand-in-hand with you to conduct an assessment, write or revise a policy, develop a plan to become a Breastfeeding Friendly business, and recognize your business for your leadership in providing a breastfeeding friendly environment. Please contact your local health department for more information.

Making Breastfeeding Work for Employers

Accommodating nursing mothers in the workplace can work for YOUR business!
Learn how!

More than three out of every four women choose to nurse their baby, and many plan to continue once they return to work. Your support will make that possible! The requirements are simple: a clean private area to express milk and a short break every two or three hours.

Accommodating Nursing Mothers at Work is the LAW

Federal Law

The Fair Labor Standards Act (FLSA) was amended in 2010 with the passage of the federal Patient Protection and Affordable Care Act, requiring employers to accommodate nursing women who wish to express milk for their infants during the work period. The law stipulates that employers must provide:

- Reasonable time
- Private space to express milk (that is not a bathroom)

Colorado Laws

Colorado Workplace Accommodations for Nursing Mothers Act

In 2008, Colorado lawmakers passed the Workplace Accommodations for Nursing Mothers Act that requires employers to make breastfeeding accommodations in the workplace by:

- Providing reasonable, unpaid break time or allowing an employee to use paid break and/or meal time to express breast milk for her nursing child for up to 2 years after the child's birth.
- Making reasonable efforts to provide a nursing mother with a private location in close proximity to her work area (other than a toilet stall) in which to express milk.
- Not discriminating against women for expressing milk in the workplace.

Breastfeeding in Public Act

Colorado Revised Statutes §25-6-302 establishes that a mother may breastfeed in any place she has a right to be. This act acknowledges that Colorado is involved in the national movement to recognize the medical importance of breastfeeding, within the scope of complete pediatric care, and to encourage removal of societal boundaries placed on breastfeeding in public.

Postponement of Jury Service for a Person Who is Breastfeeding a Child Act

Colorado Revised Statutes §13-71-119.5 (2.5) establishes that a person who is breastfeeding a child is eligible for two 12-month postponements of jury service.

5 Simple Steps to Compliance

1. Start the conversation about the needs of breastfeeding women in your workplace.
2. Complete the self-assessment and contact your local health department to develop a plan based on the assessment.
3. Review, revise, or create a lactation policy or guidance document and create a timeline for implementation.
4. Identify space and time options that comply with the law.
5. Continue to promote and improve your lactation support services through employee education, manager training, regular policy and program reviews, and soliciting feedback from your breastfeeding employees.

Compliance is possible in nearly every work setting, and there are many resources to help. For more information about these laws, contact:

- Colorado Breastfeeding Coalition: www.COBFC.org
- Colorado Department of Public Health and Environment: www.BreastfeedColorado.com
- Colorado Department of Labor and Employment: <http://tinyurl.com/286p9r7>
- U.S. Department of Labor: www.dol.gov/whd/nursingmothers

Basic Needs of Employees

The American Academy of Pediatrics (AAP) and the World Health Organization (WHO) recommend that babies be exclusively breastfed for about the first six months of life. Continued breastfeeding, along with appropriate complementary foods, should continue for up to two years of age or beyond.

Support

Nursing mothers at work need information, support, and simple accommodations to reach their infant-feeding goals. Providing a little extra break time and space to express their milk is a temporary need. Be sure to inform women about their nursing options prior to their maternity leave.

Employers and supervisors set the tone for an environment of support that enables women to feel comfortable and confident using lactation services, so don't forget to train supervisors on how to identify and respond to requests. Human resources staff is a valuable source of information to help both employees and supervisors find solutions that will work in your situation. Some companies also establish lactation policies to ensure that consistent support is provided for all women who need lactation services.

Expressing Milk

Moms make milk continuously. To keep production high, women must either feed the baby directly or remove their milk with a breast pump about every 2-3 hours. Once the milk is removed, the body replaces the milk. If it is not removed, the amount of milk she makes declines.

Many women choose to express their milk when they are at work and cannot be with their babies. The milk can be safely stored in a small refrigerator in or near the lactation room, in an insulated lunch bag, or in a general employee refrigerator. Since the Occupational Safety and Health Administration (OSHA) considers human milk to be food, not a biohazard, human milk can be safely stored in the employee refrigerator.

Potential liability from using breast pump equipment provided by the company is easily addressed by asking women to sign a release of responsibility to the company. If the business allows a caregiver to bring the baby to the mother during breaks for feedings, employees can sign a similar release of responsibility (see example at www.babiesatwork.org).



Did You Know?

A woman's nursing needs at work may change from time to time.

- Right after maternity leave, moms may need to express milk a little more frequently.
- When babies begin eating solid foods at around six months, many moms find they do not need to express milk as often.
- Babies also go through periods of rapid growth from time to time, requiring mom to add an extra milk expression session at work for a few days to keep up with the baby's demand. At other times, babies will seem to need less milk.
- Ongoing dialogue with women will help assure that their needs and the needs of the business are being addressed.

Time to Express Milk

It takes around 20 minutes for most women to express their milk (not counting the time to get to and from the milk expression area), though some women might require a little longer at first. Most women do this about every 2-3 hours.

Most women are able to use their regular breaks or meal period close to clock in and out times. If paid time cannot be provided, employees can discuss options with their supervisor, such as taking it as unpaid time, coming in a little earlier or later, or taking a shorter meal period.

Private Space

The law requires a business to provide a private area free from intrusion from coworkers and the public that is not a bathroom. Privacy can be assured with a lock on a door or signage that protects mom's privacy, covering windows as needed, etc. A quiet, private area will also help them to relax so milk expression is quicker and more efficient.

There are many options, including the employee's own office if it is private, the office of a coworker or supervisor, a conference room, or other small private area not in use. Many companies create a designated lactation space if they have more than one employee who would benefit from it. The room can be as simple or as elaborate as desired, and a space large enough to accommodate a chair and a flat surface for the pump is all that is needed. Ideally, the room will be located near running water and will include an electric outlet for plugging in the breast pump and a door that can be secured.



Checklist for Employers

When an employee requests lactation accommodations, the following checklist can help you plan.

- ☐ Have the supervisor discuss the company's lactation policy with the employee for supporting nursing women prior to maternity leave, if possible, so you can make any needed arrangements while she is away.
- ☐ Praise her! Tell her you will support her decision to breastfeed.
- ☐ Ensure that her direct supervisor and other relevant managers are aware of her needs.
- ☐ Ensure the supervisor and relevant managers are informed with verbal and written communication of the anticipated needs of the nursing employee.
- ☐ Educate staff on the benefits and needs of breastfeeding to create a supportive work environment.
- ☐ Communicate and educate staff about the policy.
- ☐ Review the employee's typical work/break schedule to arrange for milk expression breaks.
- ☐ Arrange for coverage (such as using "floaters") while she is away from her work station.
- ☐ Identify private space that is not a bathroom with an electrical outlet, chair, table and privacy protocols (signage and/or locking door).
- ☐ Seek feedback from the employee and her supervisor.

Studies show that the U.S. could save more than \$13 billion in health care costs and save the lives of nearly 1,000 babies if 90% of women nursed their infants exclusively to at least 6 months of age. The U.S. Surgeon General has issued the *Call to Action to Support Breastfeeding*, urging employers to provide basic lactation accommodations to help women continue to give their milk to their babies after returning to work.

Making Breastfeeding Work: Worksite Self-Assessment

Business Name _____ Contact Person _____

Email _____ Phone _____

Type of business sector: For-profit _____ Nonprofit: _____ Government _____ Other _____

Type of Industry _____

Number of employed women of childbearing age (15-44) _____

Percentage of your workforce who are women _____

Departments that employ higher proportions of women _____

Policy: *An explicit policy or set of guidelines outlining organizational support for breastfeeding employees*

Progressing	Breastfeeding Friendly	Breastfeeding Advocate
<div><input type="checkbox"/> We do not have a breastfeeding policy.</div> <div><input type="checkbox"/> Our breastfeeding policy is informal and is not written or regularly communicated to staff.</div> <div><input type="checkbox"/> We are aware of the 2008 Colorado Workplace Accommodation for Nursing Mothers Act (WANMA), including accommodating mothers after her child is born and up to 2 years later.</div> <div><input type="checkbox"/> There are significant barriers to developing a breastfeeding policy. These barriers include: _____ _____ _____ _____ _____ _____</div>	<div><input type="checkbox"/> We have a written breastfeeding policy but it is not regularly distributed or communicated to all employees.</div> <div><input type="checkbox"/> We have a written policy and it is distributed or communicated to all employees at least once a year.</div> <div><input type="checkbox"/> Our policy complies at the minimum requirements with WANMA.</div> <div><input type="checkbox"/> There are barriers to developing a policy that exceeds the WANMA. These barriers include: _____ _____ _____ _____ _____ _____</div>	<div><input type="checkbox"/> Breastfeeding policy-related information is provided to all new hires.</div> <div><input type="checkbox"/> Breastfeeding policy-related training is provided to all new managers.</div> <div><input type="checkbox"/> Our insurance plan covers breastfeeding equipment or breastfeeding services OR we educate our employees on breastfeeding-related benefits available through the Affordable Care Act.</div> <div><input type="checkbox"/> Our insurance plan notifies our employees that we are a breastfeeding-friendly workplace.</div> <div><input type="checkbox"/> We contract with a lactation consultant to provide services for all breastfeeding employees.</div> <div><input type="checkbox"/> Management initiates discussions for breastfeeding support and resources with employee before maternity leave.</div> <div><input type="checkbox"/> Our policy allows babies to come to work or to be brought to work to nurse at intervals throughout the day.</div> <div><input type="checkbox"/> Our policy exceeds the minimum requirements set by WANMA.</div>

Time: *Workplace flexibility*

Progressing	Breastfeeding Friendly	Breastfeeding Advocate
<ul style="list-style-type: none"><input type="checkbox"/> There are significant barriers to mothers scheduling breaks and work patterns to provide time to breastfeed, express, or pump breastmilk during the workday. These barriers include: _____<input type="checkbox"/> We accommodate nursing mothers for up to 1 year after the child's birth.<input type="checkbox"/> We provide unpaid break time for employees to express milk.	<ul style="list-style-type: none"><input type="checkbox"/> There are a few barriers to mothers scheduling breaks and work patterns to provide time to breastfeed or express breast milk during the workday. These barriers include: _____<input type="checkbox"/> We accommodate nursing mothers for up to 2 years after the child's birth.<input type="checkbox"/> We provide paid break time or flex time to express breast milk	<ul style="list-style-type: none"><input type="checkbox"/> There are few or no barriers to mothers scheduling breaks and work patterns to provide time to breastfeed or express breast milk during the workday.<input type="checkbox"/> Employees can bring breastfeeding infants to work.<input type="checkbox"/> Childcare is available and accessible to employees and accommodates breastfeeding.<input type="checkbox"/> We accommodate nursing mothers for over 2 years after the child's birth.<input type="checkbox"/> We provide paid break time and paid flex time to express breastmilk.

Space: *Accessible, clean, private, and safe space other than a bathroom for employees to express or pump breastmilk*

Progressing	Breastfeeding Friendly	Breastfeeding Advocate
<ul style="list-style-type: none"><input type="checkbox"/> There are no designated breastfeeding room(s) available.<input type="checkbox"/> Breastfeeding rooms are only available and identified as the need arises.<input type="checkbox"/> There are significant barriers to providing permanent breastfeeding room(s). These barriers include: _____	<ul style="list-style-type: none"><input type="checkbox"/> Prioritized breastfeeding room(s) are identified and can be used by employees as needed.<input type="checkbox"/> Breastfeeding rooms are solely designated as breastfeeding room(s) for employees.<input type="checkbox"/> Breastfeeding room(s) have a comfortable chair, table, and electrical outlet.<input type="checkbox"/> Breastfeeding room(s) have a lock on the door, signage indicating use or some privacy protocols.<input type="checkbox"/> Breastfeeding room(s) are located within close proximity to the employee's work station.	<ul style="list-style-type: none"><input type="checkbox"/> Refrigerator space is prioritized for breastmilk storage in proximity to the pumping space.<input type="checkbox"/> A functioning sink is in proximity to the pumping space for employees to clean pumping equipment.<input type="checkbox"/> Breastfeeding friendly messaging and/or graphics are around the workplace.<input type="checkbox"/> We have electric breast pumps available for breastfeeding employees.<input type="checkbox"/> We have pump kits available for breastfeeding employees.<input type="checkbox"/> We publicize that customers may breastfeed in public spaces.<input type="checkbox"/> The public has access to use breastfeeding room(s).<input type="checkbox"/> We have a baby changing station proximal to the breastfeeding room(s).

Resources

County

Regional Breastfeeding Resource Guide

Lists breastfeeding resources by county including Delta, Gunnison, Hinsdale, Mineral, Montrose, Ouray, and San Miguel. Contact your local health department for a paper or electronic version of the guide.

LatchME

LatchME website and downloadable app provides breastfeeding help from board-certified pediatricians and lactation consultants. Includes a wide variety of local resources, such as breastfeeding friendly places and clinicians, mother-to-mother support groups, and sources for breast pumps and supplies. www.LatchMD.com.

Colorado

Colorado Breastfeeding Coalition

A volunteer organization of physicians, nurses, public health officials, dietitians, lactation consultants, counselors, and members of the business community. The website includes videos highlighting challenges and successes for worksite lactation programs. www.cobfc.org.

Colorado Department of Public Health and Environment

Downloadable resources and webinars on all aspects of breastfeeding support, including the Baby Friendly Hospital Collaborative and breastfeeding in the workplace. www.colorado.gov/pacific/cdphe/breastfeeding.

Colorado Statutes Governing Breastfeeding Women

Includes the full text of the statutes supporting breastfeeding mothers in the workplace and public venues, and in support of the American Academy of Pediatrics breastfeeding recommendations. www.breastfeedinglaws.uslegal.com/state-laws/colorado-breast-feeding-laws/.

National

The Business Case for Breastfeeding

Free resources with bottom-line benefits for employers establishing comprehensive lactation support programs; easy steps for implementing; options for space, time, education, and support; reproducible templates that can be tailored to the business; and employee educational materials. Published by the U.S. Department of Health and Human Services Maternal and Child Health Bureau. www.womenshealth.gov/breastfeeding/government-in-action/business-case-for-breastfeeding.

United States Breastfeeding Committee

Links to numerous national resources and a listing of state breastfeeding coalitions. www.usbreastfeeding.org.

International Lactation Consultant Association

Worksite Lactation Support Directory lists lactation consultants available to assist businesses with an employee lactation support program. www.ilca.org.

United States Surgeon General

Surgeon General's *Call to Action to Support Breastfeeding* and *National Prevention Strategy*. www.surgeongeneral.gov.

Parenting in the Workplace Institute

The Parenting in the Workplace Institute researches and provides resources for the implementation of formal programs in which parents can bring their children to work and care for them while doing their jobs. www.babiesatwork.org.

Office on Women's Health

Supporting Nursing Moms at Work: Employer Solutions provides resources for creating a lactation space.

www.womenshealth.gov/breastfeeding/employer-solutions/

Your Guide to Breastfeeding provides moms a guide complete with comprehensive information about breastfeeding.

www.womenshealth.gov/files/documents/your-guide-to-breastfeeding.pdf.

Notes



Making Breastfeeding Work for Employers

Thank you to Boulder County Public Health for providing an editable version of this document.

Thank you to the New York State Department of Health for information provided in this document.

The West Central Public Health Partnership Worksite Wellness Project is a regional project on Colorado's western slope.

For more information about becoming a Breastfeeding Friendly business, call your county health department:

- Delta County Health Department: 970-874-2165
- Gunnison County Health & Human Services: 970-641-0209
- Hinsdale County Public Health: 970-944-0321
- Montrose County Health & Human Services: 970 252-5000
- Ouray County Public Health Agency: 970-325-4670
- San Miguel County Public Health: 970-728-4289



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