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AB 2468 (De León) Breast-Feeding Mother-Friendly Workplaces

PURPOSE:

Encourage employers to provide supportive work environments for new mothers who want to continue breastfeeding their babies when they return to work.

BACKGROUND:

Studies show that breastfeeding significantly reduces children's risk for obesity and chronic diseases such as diabetes, asthma, allergies, and gastrointestinal, urinary and respiratory tract infections. There are also significant health benefits for breastfeeding mothers, including reduced risk for type 2 diabetes, ovarian cancer, and breast cancer.

Unfortunately, one of the barriers that prevent new mothers—especially low-income working mothers—from continuing to exclusively breastfeed, is the need to return to work environments that do not provide the necessary support and accommodations.

For employers, potential benefits of providing a supportive work environment for breastfeeding mothers include: reduced worker turnover, shorter maternity leave, lower absenteeism due to a sick child, higher morale among employees, increased productivity among employees with new children, an enticing worker recruitment incentive, improved positive image in the community, and lower and fewer health insurance claims.

Existing state law regarding lactation accommodation requires employers to provide a reasonable amount of break time for employees desiring to express breast milk, and the use of a private room or location, other than a toilet stall, in close proximity to the employee's work area (Labor Code §§ 1030-1033).

Three states currently have "mother friendly" or "infant friendly" worksite programs: Texas, Washington, and North Dakota.

PROPOSAL:

Allow employers to use the designation "Breast-Feeding Mother-Friendly Workplace" on its promotional materials if the employer voluntarily has a workplace breastfeeding policy approved by the California Labor Commissioner that addresses at least the following:

- Flexible work scheduling, including scheduling breaks and permitting work patterns that provide time for expression of breast milk;
- A convenient, sanitary, safe and private location, other than a toilet stall, allowing privacy for breastfeeding or expressing breast milk;
- A convenient clean and safe water source with facilities for washing hands and rinsing breast-pumping equipment located in or near the private location; and
- A convenient hygienic refrigerator in the workplace for the temporary storage of the mother's breast milk.

Direct the Labor Commissioner to accept applications from employers seeking the "Breast-Feeding Mother-Friendly Workplace" designation, review and approve workplace breastfeeding policies that meet the requirements, and maintain a list of Breast-Feeding Mother-Friendly workplaces that is available to the public via the Internet.