



**Corporate
Voices** 
for Working Families



**New Federal Requirements on Workplace Lactation
What It Means for Businesses and Employees**
August 25, 2010

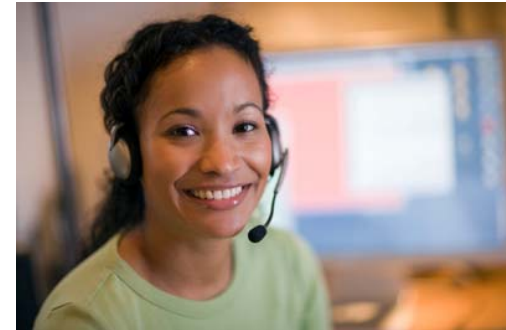
About Corporate Voices

- National business membership organization representing the private sector on policy issues involving working families
- Develop innovative policies that reflect collaboration between the private sector and government.



Our Mission

- **Represent** private sector on public and corporate policy issues involving working families
- **Legitimize** importance of business voice in shaping public policy
- **Change** corporate behavior with respect to engagement with policymakers



Our Corporate Partners



- Abbott Laboratories
- Accenture
- Allstate Insurance Company
- AOL
- AstraZeneca
- Bank of America
- Bank of New York Mellon
- Baxter International Inc.
- Booz Allen Hamilton
- Bright Horizons Family Solutions
- Children's Creative Learning Centers
- Citi
- CVS/Caremark
- Deloitte & Touche, LLP
- Eli Lilly and Company
- Ernst & Young
- Expeditors
- First Advantage
- Ford Motor Company Fund
- GlaxoSmithKline
- Goldman, Sachs & Co.
- H. E. Butt Grocery Company
- Hewlett-Packard
- ICF International, Inc.
- ING Foundation
- Johnson & Johnson
- JPMorgan Chase
- Knowledge Learning Corporation
- KPMG LLP
- LifeCare
- Marriott International, Inc.
- MassMutual Financial Group
- Merck & Co., Inc.
- Metropolitan Life Insurance Company
- Morgan Stanley
- Office Depot, Inc.
- Phillip Morris USA, an Altria Company
- Phoenix Companies, Inc.
- PNC Financial Services Group, Inc.
- RSM McGladrey
- Sodexo, Inc.
- Texas Instruments
- The TJX Companies, Inc.
- Wachovia
- WFD Consulting
- Workplace Options
- WorkSource Partners

Federal Health Reform and Nursing Mothers



- **Patient Protection and Affordable Care Act, H.R. 3590**
- **SEC. 4207. Reasonable Break Time for Nursing Mothers**

Who Is Covered By the Law

- **Effective immediately**
- **Covers workers not exempt from overtime regulations**
- **Covers employers of EVERY size**
 - Employers with fewer than 50 workers can try to establish a hardship exemption
 - Employer size determined by counting all workers, not just those at worksite



What the Law Requires

- *Time*: “A reasonable break time for an employee to express milk...each time such employee has need to express the milk”
- *Space*: “a place other than a bathroom, that is shielded from view and free from intrusion” from coworkers or the public

How Many Breaks Are Required?

- The law mandates a break “each time such employee has need to express the milk.”
- How often depends on the woman and how old the child is:
 - The provision applies to up to one year after a child’s birth
 - Employers need to be flexible
 - Generally, most women will need to pump every 2-3 hours or 2-3 times in a eight hour shift.



Are Breaks Paid Time?

- Breaks do not have to be paid
- Where employers already provide compensated breaks, however, an employee using that time to express milk must be compensated in the same way that other employees are compensated for break time.

What is a *Reasonable Time* for a Break?

The law does not specify, but pumping requires time to:

- (1) go to the pumping area;
- (2) wash hands;
- (3) set up the pump;
- (4) pump (about 20 minutes)
- (5) dismantle the pump;
- (6) clean the pump;
- (7) store the milk;
- (8) return from the pumping area.

What Type of *Space*?

- Cannot be a bathroom
- Does not have to be a lactation room
- Has to be shielded from view
- Must be available when the woman needs it
- Coworkers or the public cannot be wandering in



Effect on State Laws

- This federal law sets a *floor*. It does not change any requirements in state laws that give workers more rights to pump at work
- **24 states, the District of Columbia and Puerto Rico** have laws related to breastfeeding in the workplace.

Best Practices

- Open communication between HR, supervisors and workers is critical
- You know who your new mother employees are. Make it a point to reach out them and their supervisors and figure out how to put this into practice.

Next Steps from Dept. of Labor

Wage & Hour Division

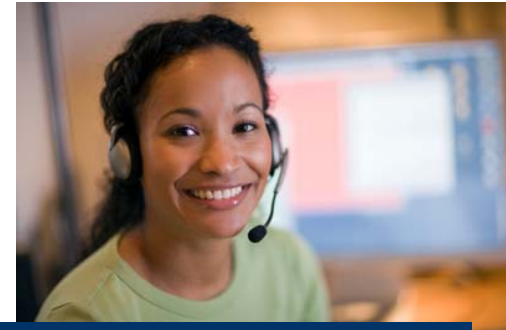
- Currently conducting meetings with broad range of groups
- Will issue further guidance
- Prefers to highlight “success stories”
- Online forum for sharing business best practices



The Changing Needs of the Workforce

50%

of the workforce is comprised of
women



56%

of women with infants work



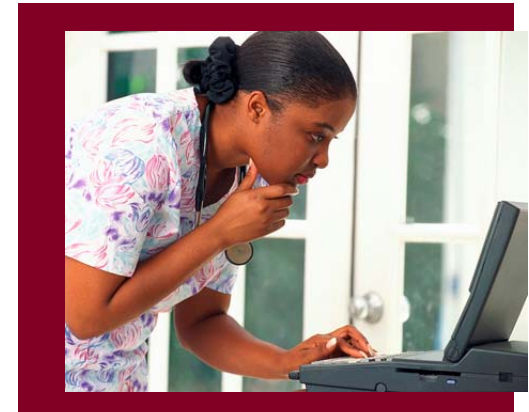
The Changing Needs of the Workforce

75 %

of mothers begin breastfeeding after birth

Less than 20%

continue after returning to work



Best Practices



In a recent survey, 83 percent of the “100 Best Companies for Hourly Workers” offered workplace lactation rooms for nursing mothers.



Business Case for Breastfeeding

Shareholder
value

Customer
retention

Employee
performance

Employee
engagement

Recruitment
and retention



Workplace Lactation Programs: Good for Working Families, Good for Business



A Solution



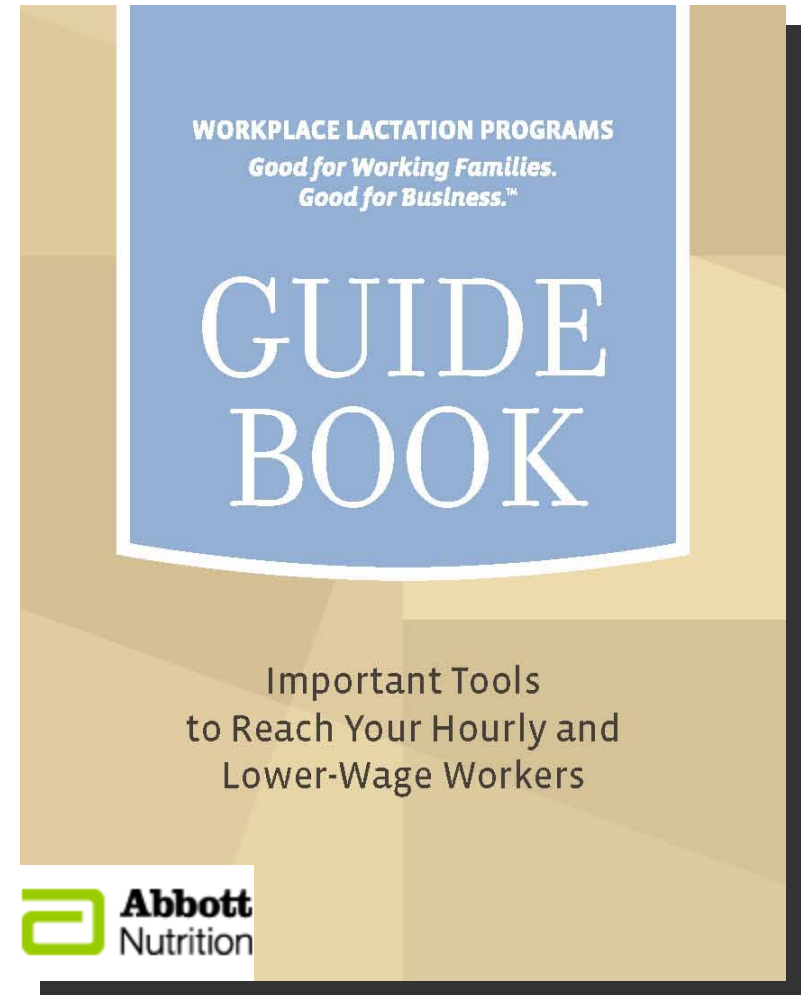
- Empowers workers to meet dual demands of work and family
- Modernizes the workplace so that working families and businesses are more productive, more competitive, healthier, and happier.

Workplace Lactation Programs: Good for Working Families, Good for Business



- Guide for Employers
- Business flyers
- Break room poster
- Paycheck stuffers
- Breastfeeding resources
- Flyers for employees
- Pumping and storage information

Available in English and Spanish



Improving the Lives of Working Families

Practical Steps for Implementing a Workplace Lactation Program

Mothers at Work® Breastfeeding Program

72% of Mothers at Work participants took three or fewer days off work for a sick baby.

- Create a supportive environment for breastfeeding
- Pre-natal and return-to-work consultations
- Encourage a culture that supports employees' efforts to breastfeed
- Best Practice Example:
 - LifeCare's "Mothers at Work" Program

Practical Steps for Implementing a Workplace Lactation Program

- Space and Privacy
- Time and Equipment
- Best Practice Example:
 - TJX Companies, Inc.



Practical Steps for Implementing a Workplace Lactation Program

- Outreach and communication to employees
- Manager support
- Financial assistant for pump rental or purchase
- Breastfeeding support resources
- Best Practice Example:
 - PNC Financial Services Group, Inc. “New Mothers’ Room” Program



how real moms learned to mix business
with babies — and how you can, too

the milk memos



CATE COLBURN-SMITH and ANDREA SERRETTE

How Can I Get the Toolkit?

Visit Corporate Voices' website:

<http://www.corporatevoices.org/lactation>

- Toolkit is available for free download
- We encourage re-branding and distribution
- Share your story with us for the updated toolkit!



Next Steps

- **Corporate Voices will host a webinar to showcase best practice examples of corporate lactation programs**
- **We invite you to join a panel of best practice employers and share your programs with the wider business community**
- **Feel free to share your practices with us to be included in**
 - **our updated toolkit (forthcoming Fall 2010), and**
 - **Wage & Hour Division collection of best practices.**

Resources

- Corporate Voice's Workplace Lactation Toolkit and Flex Resources
www.corporatevoices.org
- National Partnership for Women and Families
www.nationalpartnership.org
- Women, Infants, Children (WIC) Program
www.fns.usda.gov/wic/
- American Academy of Pediatrics
<http://www.aap.org/breastfeeding/policyOnBreastfeedingAndUseOfHumanMilk.html>
- Wage & Hour Division, Department of Labor
<http://www.dol.gov/whd/regs/compliance/whdfs73.htm>
- Text4baby (www.text4baby.org)
- Colorado State Breastfeeding Coalition (videos for employers)
<http://www.youtube.com/watch?v=NIIQHlop6yA&feature=related>



**Corporate
Voices** 
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www.corporatevoices.org

<http://www.corporatevoices.org/lactation>

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