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Support for breastfeeding mothers: Are you violating the law?

Increasing employer awareness

By Phillip Atherton & Christine Buttrick, Bachelor of Science in Nursing students at University of New England

On March 23, 2010, President Obama signed the “Break Time for Nursing Mothers” law in the Patient Protection and Affordable Care Act that requires employers to provide an opportunity for nursing mothers to breastfeed while at work. The law necessitates employers give a “reasonable” amount of time and a private space that is not a bathroom for the first year of a new infant’s life (Rogers & Hartman, 2010). In order to help mothers have access to breastfeeding, the awareness of this law must be expanded, and the implementation of lactation programs in every workplace must be enforced so that mothers can continue to breastfeed when they return to work. The employers should include the following for a successful lactation program: a private space other than a bathroom, a reasonable amount of time allotted for break, a sign or decal outside the designated room, and a comfortable place to sit in solitude.



Figure 1. Seen above are photos from the women’s bathroom in the Washington D.C. Airport that has a designated “Nursing Lounge.” This is an example of a poor lactation room because it is in a bathroom, and also it lacks both a comfortable seat and private location.

Breastfeeding has been proven the best nutritional method for infants, and can decrease the risk of developing Sudden Infant Death Syndrome, diabetes, and obesity. Breastfeeding mothers have a decreased risk of breast and ovarian cancers, osteoporosis, and return to their pre-pregnancy weight faster than mothers who do not breastfeed. Employers will also benefit from lactation programs by a potential decrease in health insurance claims,

less absenteeism, and can even receive tax incentives for complying (Mills, 2009). A major goal in *Healthy People 2020* is to increase the percentage of breastfeeding mothers. In 2009, statistics reveal that only 33.6 percent of mothers were exclusively breastfeeding at 3 months; however, the goal was set at 46.2 percent. The percentage dropped to 14.1 percent at 6 months, which is below the goal of 25.5 percent (“Healthy People 2020: Breastfeeding objectives,” 2013). The drop in exclusive breastfeeding rates may be contributed to The Family and Medical Leave Act allowing three months of unpaid maternity leave, and the present lack of lactation programs in many workplaces (Hegewisch & Hara, 2013). The percentage of workplace lactation programs in 2009 was only 25 percent, which *Healthy People 2020* hope to increase the percentage of lactation programs to 38.0 percent (“Healthy People 2020: Breastfeeding objectives,” 2013). Employers must abide by this law, and awareness of the importance of lactation programs and the benefits of breastfeeding must be increased. By establishing lactation programs, employers will provide a supportive, non-discriminatory environment for breastfeeding mothers, while also complying with the law.



Figure 2. University of New England provides a lactation room for nursing mothers that provides a private room that is not a bathroom with comfortable place to relax to breastfeed. This is an example of a successful lactation room to use as an example for other employers.

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