

78% of women do not breastfeed exclusively for the first six months as recommended by major world health organizations <sup>1</sup>

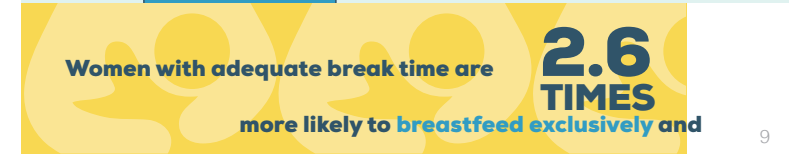
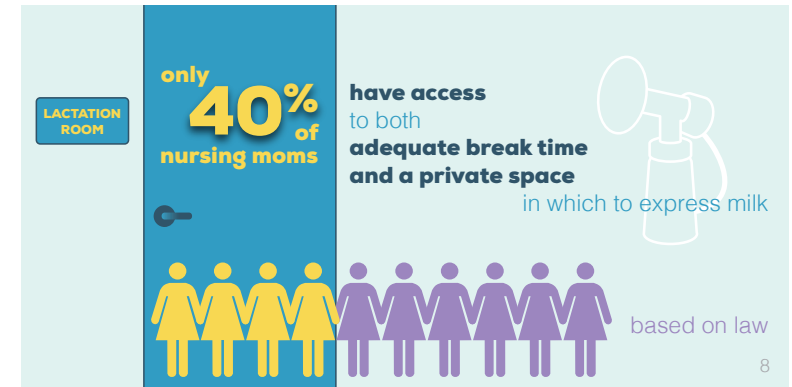
# Supporting Breastfeeding with Public Policy

## Workplace support for breastfeeding is gaining attention.

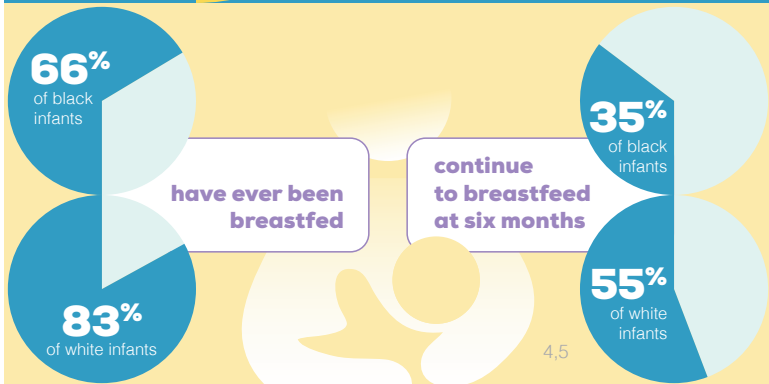
The Affordable Health Care Act (ACA) is prompting more employers to offer lactation accommodations. Four states have established paid family leave programs.

However, the majority of American women still lack paid family leave and adequate workplace lactation accommodations.

To help improve breastfeeding rates, it's time for a national paid family leave policy and stronger workplace lactation accommodations laws.



at 6 months postpartum. Women with private space at work breastfed for 1.4 months longer than women with no break time or private space.



# Existing Laws

## The Family and Medical Leave Act (FMLA)

Federal FMLA of 1993 enables some workers to **take up to 12 weeks of unpaid, job-protected leave** to care for a new baby or a sick family member, or to recover from serious illness.

Nineteen states and the District of Columbia have established unpaid, job-protected leave policies to cover more workers or cover workers for longer periods of time than the federal law.

## Temporary Disability Insurance

California, Hawaii, New Jersey, New York, Rhode Island, and Puerto Rico

have public disability insurance programs that women can use for **partially paid leave after the birth of a child.**

## Paid Family Leave

California, New Jersey, New York, and Rhode Island

have **paid family leave programs.**

Several states and cities have paid leave policies for their public employees.

## Break Time for Nursing Mothers

This provision of the Fair Labor Standards Act (FLSA), established under ACA in 2010, requires employers to provide nursing mothers who are hourly workers ("nonexempt") **reasonable break time and a private, non-restroom location** to express milk for up to one year after the child's birth.

# Proposed Legislation

## PROPOSED LEGISLATION State family leave

Numerous states are considering paid family and medical leave proposals and proposals to expand job protection while on leave.

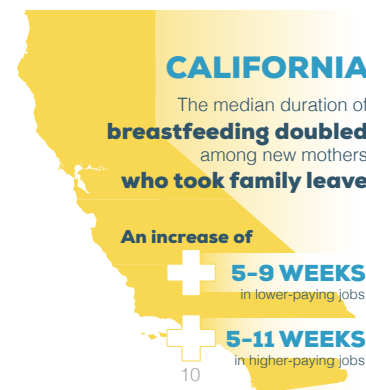
In California, **SB 1166, the New Parent Leave Act**, would provide **up to three months of job-protected parental leave** for more employees than are currently covered.

## PROPOSED LEGISLATION Federal paid family & medical leave

**The Family and Medical Insurance Leave (FAMILY) Act** would create a national paid family and medical leave insurance program, enabling workers to take **up to 12 weeks of paid leave to bond with a new baby**, care for a sick family member, or recover from serious illness.

## PROPOSED LEGISLATION Federal lactation accommodations

**The Supporting Working Moms Act (SWMA)** would extend the existing Break Time for Nursing Mothers to **cover executive, administrative, and professional employees**, including school teachers.



## NEW JERSEY

**Mothers who took paid leave** under the State Family Leave Insurance program **breastfed for one month longer** on average

 **BreastfeedLA**  
breastfeedla.org

 **CLASP**  
policy solutions that work for low-income people  
clasp.org

 **first 5 la**  
first5la.org

For the complete fact sheet, visit  
[www.clasp.org/resources-and-publications/publication-1/2016-07-26-BreastfeedingPaidLeaveLacAcc\\_FINAL.pdf](http://www.clasp.org/resources-and-publications/publication-1/2016-07-26-BreastfeedingPaidLeaveLacAcc_FINAL.pdf)

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## Endnotes:

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