

The Providing Urgent Maternal Protections for Nursing Mothers Act

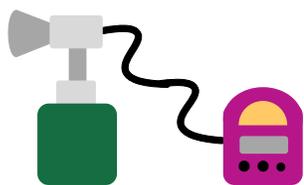
Current lactating employees are protected by Break Time for Nursing Mothers under the Fair Labor Standards Act. This federal law requires employers to provide employees with ‘reasonable break time’ and a private space other than a bathroom to express breast milk for a nursing child for one year after the child’s birth.¹ Unfortunately, this law only pertains to employers who have overtime pay requirements (i.e., their employees are not salaried) and have more than 50 employees.¹ With these exemptions, 1 in 4 mothers - an estimated 9 million women - are without federal protections.² This was the impetus for drafting the Providing Urgent Maternal Protections for Nursing Mothers Act.

What is the Providing Urgent Maternal Protections for Nursing Mothers Act?

The PUMP Act seeks to close the gap in federal breastfeeding/pumping protections in the workplace by strengthening Break Time.²

Why is supporting breastmilk expression in the workplace important?

The benefits of expressing breast milk for both the mother and infant have been well documented and range from reduced risk of ovarian cancer in mothers to reduced risk of sudden infant death syndrome in infants.³ With these known benefits, many mothers set out to breastfeed their child for the recommended period, but 60% of mothers fall short of intended breastfeeding lengths.⁴ One factor is unsupportive work policies.⁵ Of full-time working women who started breastfeeding their infants, only 10% will still be breastfeeding six months later.⁶ Fortunately, data shows that comprehensive corporate lactation programs lead to 75% of participating moms achieving 6 months or more of breastfeeding.⁷



What are some provisions in the PUMP Act?²

- Expand who is protected by the federal law
- Ensure that there are remedies for nursing employees whose rights have been violated
- Extend protections from one year to two years after the child’s birth. Additionally, broaden coverage to lactating employees in the event of stillbirth, adoption, or surrogacy.
- Advise the Department of Labor to give guidance that will encourage employers to comply with the law
- Provide employers with more clarity on when pumping time must be paid and when it may be unpaid

Why should employers support breastmilk expression?

Benefits of lactation policies extend to the employer. Reports have shown that accommodating lactating employees reduces absenteeism, increases productivity, improves employee satisfaction and retention, and lowers medical insurance claims.^{3,8,9}

SUPPORTING LACTATING MOTHERS IN THE WORKPLACE HAS SOCIAL, ECONOMIC, AND HEALTH BENEFITS FOR WOMEN, CHILDREN AND EMPLOYERS.

1. LABOR USDO. Fact Sheet #73: Break Time for Nursing Mothers under the FLSA. <https://www.dol.gov/agencies/whd/fact-sheets/73-flsa-break-time-nursing-mothers>. Accessed 9/30/2021.

2. Committee USB. PUMP Act Week of Action Partner Toolkit. In:2021.

3. Carissa M Rocheleau AS-C, Heidi Hudson. Promoting Worker Well-Being through Maternal and Child Health: Breastfeeding Accommodations in the Workplace. 2019; <https://blogs.cdc.gov/niosh-science-blog/2019/02/11/breastfeeding-work/>. Accessed September 30, 2021, 2021.

4. Odom EC, Li R, Scanlon KS, Perrine CG, Grummer-Strawn L. Reasons for earlier than desired cessation of breastfeeding. *Pediatrics*. 2013;131(3):e726-732.

5. Sriraman NK, Kellams A. Breastfeeding: What are the Barriers? Why Women Struggle to Achieve Their Goals. *J Womens Health (Larchmt)*. 2016;25(7):714-722.

6. Johnston ML, Esposito N. Barriers and facilitators for breastfeeding among working women in the United States. *Journal of obstetric, gynecologic, and neonatal nursing : JOGNN*. 2007;36(1):9-20.

7. Cohen R, Mrtek MB. The impact of two corporate lactation programs on the incidence and duration of breast-feeding by employed mothers. *American journal of health promotion : AJHP*. 1994;8(6):436-441.

8. Cohen R, Lange L, Slusser W. A description of a male-focused breastfeeding promotion corporate lactation program. *Journal of human lactation : official journal of International Lactation Consultant Association*. 2002;18(1):61-65.

9. Cohen R, Mrtek MB, Mrtek RG. Comparison of maternal absenteeism and infant illness rates among breast-feeding and formula-feeding women in two corporations. *American journal of health promotion : AJHP*. 1995;10(2):148-153.