allows a mother to breastfeed her child in any location, public or private, except the (Chapter 3.8, Section 1030, Part 3 of Division 2 of the Labor Code). This law requires all California employers to provide a reasonable amount of break time and to make a reasonable effort to provide space other than a toilet stall, close to the employee’s work area, to accommodate an employee desiring to express breast milk for her baby. The break time shall not impact the employee’s work hours or compensation in any way. The law also provides that the one-year period may seriously disrupt the operations of the employer. Violation of this chapter is subject to a civil penalty of $100.

(4) Nothing in this subsection shall preempt a State law that provides greater protections to employees than the protections provided for under this subsection.

Additional breastfeeding laws in California

California Civil Code § 210.5 (2000) allows a breastfeeding mother to postpone jury duty for one year and specifically allows a mother to breastfeed her child in any location, public or private, except the child’s birth, each time such employee has need to express the milk; and (B) a place, other than a bathroom, that is shielded from the view and free from intrusion from co-workers and the public, which may be used by an employee to express breast milk.

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L.A. Baby Baskets, Network
La Salle league International (LSU)
National Association of Neonatal Nurses (NANN)
National Association of Nurse Practitioners in Women’s Health (NAPNAP)
National Association of Pediatric Nurse Practitioners (NAPNAP)
National Institutes of Health (NIH)
National Medical Association (NMA)
Office on Women’s Health, The (OWH)
United Nations Children’s Fund (UNICEF)
US Department of Agriculture (USDA)
US Department of Health and Human Services (HHS)
World Health Organization (WHO)

Acknowledgments

We gratefully acknowledge first 5 & LA Breastfeeding Task Force of Greater Los Angeles.

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California Civil Code § 43.3 (1997) allows a breastfeeding mother to breastfeed her child in any location, public or private, except the REASONABLE BREAK TIME FOR NURSING MOTHERS

Accounting for the effects of breast milk in the work environment.

Notes and References

End Notes


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LA BEST BABIES NETWORK

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www.LABestBabies.org

Breastfeeding in the workplace requires no environmental costs in terms of production, packaging or waste disposal.

A 2010 study published in *Pediatrics* indicates that if 90% of mothers were to breastfeed exclusively for 6 months, 235,000 premature births, 143,000 newborn deaths, and 22,500 obstetric interventions could be prevented. Breastfeeding last a lifetime.

Breastfed babies are healthier because breast milk is the optimal food for the growth and development of infants, and encourages employees and management to have a positive, accepting attitude towards women who are breastfeeding. (Agency) promotes and supports breastfeeding and the expression of breast milk by employees who are breastfeeding or pumping while at work.

Discrimination and harassment of breastfeeding mothers in any form is unacceptable and will not be tolerated by (Agency). It shall be the policy of (Agency) to:

- Promote breastfeeding-Friendly Workplace policy shall be disseminated to every incoming and current employee.
- Information about breastfeeding support after returning to work shall be provided to employees prior to their maternity leave.
- The lactation time is to run consecutively with any breaks time already allotted.
- Successful lactation beyond the regular break is unpaid and will be negotiated between the employee and (Agency).
- For the Baby
  - The employer may provide on-site or agency-wide lactation services that will accommodate pumping or breastfeeding.
  - The breastfeeding employee may be offered a flexible schedule to accommodate pumping or breastfeeding.
  - The breastfeeding employee may be offered a flexible schedule to accommodate pumping or breastfeeding.
  - The employer may provide a refrigerator labeled exclusively for breast milk storage.

Breastfeeding-Friendly Workplace Policy Template

<table>
<thead>
<tr>
<th>Benefits of Providing a Breastfeeding-Friendly Work Environment</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>For Employers and Employees</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Cost savings</strong></td>
<td>Lower healthcare costs, improved employee satisfaction and morale, increased employee loyalty and services, and additional recruitment incentive.</td>
</tr>
<tr>
<td><strong>Improved workplace culture</strong></td>
<td>Better health, Protection against chronic diseases, and Decreased risk of infant death syndrome (SIDS).</td>
</tr>
<tr>
<td><strong>Greater work productivity</strong></td>
<td>Increased breastfeeding awareness and increased breastfeeding success.</td>
</tr>
<tr>
<td><strong>Improved employee satisfaction and morale</strong></td>
<td>Improved workplace culture, decreased stress, and increased employee satisfaction.</td>
</tr>
<tr>
<td><strong>Decreased absenteeism</strong></td>
<td>Decreased sick leave and increased employee engagement.</td>
</tr>
<tr>
<td><strong>Decreased turnover</strong></td>
<td>Reduced staff turnover and increased employee engagement.</td>
</tr>
<tr>
<td><strong>Greater work satisfaction</strong></td>
<td>Greater work satisfaction and engagement.</td>
</tr>
<tr>
<td><strong>A healthier baby</strong></td>
<td>A healthier baby.</td>
</tr>
<tr>
<td><strong>Increased breastfeeding awareness</strong></td>
<td>Increased breastfeeding awareness and increased breastfeeding success.</td>
</tr>
<tr>
<td><strong>Conservative or progressive</strong></td>
<td>A healthier baby.</td>
</tr>
<tr>
<td><strong>Sexual harassment</strong></td>
<td>Increased breastfeeding awareness and increased breastfeeding success.</td>
</tr>
<tr>
<td><strong>Reduced healthcare costs</strong></td>
<td>Reduced healthcare costs, lower risk of obesity and high cholesterol, and less risk of developing chronic diseases and conditions such as SIDS, diabetes, childhood cancer, obesity, and high blood pressure.</td>
</tr>
</tbody>
</table>

Additional recommendations for providing breastfeeding promotion and support include:

- **Recommended method of feeding by all health authorities**
- **Government initiatives**
- **Weaning from breastfeeding**
- **Policy initiatives**
- **Supporting breastfeeding**
- **Lower healthcare costs**
- **Improved employee satisfaction and morale**
- **Greater work productivity**
- **Improved employee satisfaction and morale**
- **Greater work satisfaction**
- **A healthier baby**
- **Increased breastfeeding awareness**
- **Conservative or progressive**
- **Sexual harassment**
- **Reduced healthcare costs**
- **Environmental friendliness**

<table>
<thead>
<tr>
<th>Recommendations</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Highly recommended</strong></td>
<td>The breastfeeding employee may be offered a flexible schedule to accommodate pumping or breastfeeding.</td>
</tr>
<tr>
<td><strong>Highly recommended</strong></td>
<td>The breastfeeding employee may be offered more flexible assignments to accommodate pumping or breastfeeding.</td>
</tr>
<tr>
<td><strong>Recommended</strong></td>
<td>The employer may provide appropriate labeling for the “Lactation Area.”</td>
</tr>
<tr>
<td><strong>Recommended</strong></td>
<td>The employer may provide a refrigerator labeled exclusively for breast milk storage.</td>
</tr>
<tr>
<td><strong>Recommended</strong></td>
<td>Appropriate signage and/or other security measures may be used to identify the occupied status of the “Lactation Area.”</td>
</tr>
<tr>
<td><strong>Recommended</strong></td>
<td>The lactation area shall be equipped with an electrical outlet.</td>
</tr>
<tr>
<td><strong>Recommended</strong></td>
<td>The lactation area shall be in close proximity to the employee’s area.</td>
</tr>
<tr>
<td><strong>Recommended</strong></td>
<td>The lactation area shall be near: A sink, with hot water and soap, for hand washing and cleaning of equipment. A refrigerator, for storage of expressed breast milk.</td>
</tr>
</tbody>
</table>

**Atmosphere of Tolerance**

Breastfeeding shall not be the cause of discrimination in the workplace nor in access to employment. It is prohibited under this policy to harass breastfeeding employees. Such conduct unreasonably interferes with an employee’s work performance and creates an intimidating, hostile and offensive working environment.

**Area of Tolerance**

A toilet stall shall not serve as the lactation area. For ideas on the use of office space and equipment for expressing milk or breastfeeding, contact (Agency) or visit the link below.

<table>
<thead>
<tr>
<th><strong>Recommended</strong></th>
<th>The employer may provide referrals to breastfeeding resources and services in the community.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Recommended</strong></td>
<td>The employer may incorporate breastfeeding information into the employee wellness program.</td>
</tr>
</tbody>
</table>
| **Recommended** | The employer may provide on-site or agency-wide lactation services that include some or all of the following:
| **Recommended** | Continued breastfeeding support for working mothers. |
| **Recommended** | Healthcare benefits with a lactation services coverage rider. |