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Support HB 1076 – Reducing Obstacles to New Mothers Re-Entering the Workforce.

New mothers reentering the workforce face many obstacles to continuing breastfeeding, despite strong medical consensus in its favor. A woman should not have to choose between keeping her job and nursing her child, and this law is designed to ensure Virginia's nursing mothers do not have to make that choice.

Not all nursing moms can pump breast milk at work. Many Virginia employees are covered by the Nursing Mothers Provision of the Fair Labor Standards Act (FLSA), which requires employers to provide nursing mothers with reasonable break time and a private place (other than a bathroom) to pump breast milk during work hours. Unfortunately, if a nursing mother is not eligible to receive overtime (e.g., a salaried employee) or her employer is not covered by the FLSA, she does not have the right to these—or any other—accommodations to pump breast milk during work hours.

Virginians should demand more protection for nursing mothers. Under current Virginia law, a nursing mother's right to breastfeeding accommodations at work depends on how she is paid and/or the type and amount of business her employer conducts, not whether her employer has the resources to accommodate her needs. This bill would change that by requiring all Virginia employers to provide employees with reasonable breastfeeding accommodations during work hours unless doing so would unduly disrupt the employer's operations.

Supporting nursing moms at work is not only the right thing to do, it's good for business. Research shows that nursing mothers and their infants enjoy better health through breastfeeding. Because breastfed babies are healthier, their parents are less likely to miss work.¹ Nursing moms who receive accommodations to express breast milk at work are more productive and loyal to their employers, and more likely to return from maternity leave, which reduces employee turnover.² And providing time and space accommodations for nursing mothers is easier and less expensive than many employers realize.³

While not all employers have the resources or facilities to accommodate nursing employees, those that do should be required to provide reasonable accommodations to pump breast milk at work.

¹ Office on Women's Health, U.S. Dep't of Health and Human Servs., *The Business Case for Breastfeeding Support* (2015), www.womenshealth.gov/breastfeeding/employer-solutions/business-case.html

² *Id.* See also J. Ortiz, K. McGilligan & P. Kelly, *Duration of breast milk expression among working mothers enrolled in an employer-sponsored lactation program*, 30 PEDIATRIC NURSE 111-119 (2004).

³ Office on Women's Health, U.S. Dep't of Health and Human Servs., *Breastfeeding Support FAQs for Employers* (2014), <http://www.womenshealth.gov/breastfeeding/employer-solutions/faq.html>.