EXPOSED: DISCRIMINATION AGAINST BREASTFEEDING WORKERS

Liz Morris, Deputy Director
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www.pregnantatwork.org

Your presenters

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Exposed: Discrimination Against Breastfeeding Workers

What do breastfeeding workers need?

- **Time**
- **Private, clean space**
- **Other reasonable accommodations**

Breastfeeding workers who had access to both time and space were 2.3 times as likely to be breastfeeding exclusively at 6 months.

“...I had blood in my milk from waiting so long…but I had to keep working.”

Simone Teagle, Police Officer
Short-term Health Consequences of Discrimination

- Clogged milk ducts, leaky breasts, and painful engorgement
- Mastitis
- Decreased milk supply, resulting in early weaning

Long-term Health Consequences of Discrimination

Babies who are not breast fed for the recommended term face higher rates of illness and disease:

- SIDS
- Diabetes
- Leukemia and lymphoma

Their mothers face higher rates of:

- Breast and ovarian cancers
- Diabetes
- Heart Disease
"Having to choose to leave a career I loved was one of the most difficult decisions of my life. But I had to do what I thought was best for my family."

Stephanie Hicks, Police Officer

Financial Consequences of Breastfeeding Discrimination

- 43% Fired
- 26% No Monetary Loss Claimed
- 20% Forced Resignation
- 11% Other Economic Harm

Exposed: Discrimination Against Breastfeeding Workers
There were days I was afraid I’d get fired, or get messed with on the job. Some days I felt super strong, thinking ‘I can do this and they shouldn’t be treating women like this.’

Sarah Spriesch, Paramedic

**Discrimination Patterns:**

- Male-dominated Industries
- Bias Against Mothers
- Sexual Harassment
Exposed: Discrimination Against Breastfeeding Workers

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Legal Landscape
Break Time for Nursing Mothers

Requires employers nationwide to provide eligible employees:

- Reasonable break time to express breast milk as needed during the workday
- A space that is shielded from view, free from intrusion, and not a bathroom

Shortcomings: Break Time for Nursing Mothers

Leaves out 9 million women of childbearing age

- Teachers
- Registered Nurses

Limited to only:

- Transportation Workers
  1. Break time and space
  2. for milk expression
- Agricultural Workers
- Retail Workers on Commission
- "for her nursing child"
- Managers and Professionals
- for one year
- Many other categories of workers.

Call 1-800-USA-WAGE for more

Major Enforcement Challenges
Pregnancy Discrimination Act (Title VII)

- Prohibits Discrimination (firing, penalizing, or refusing to hire)
- Prohibits Harassment
- Breastfeeding employees must have the same freedoms as other employees to address lactation-related needs (e.g., schedule changes, breaks, modified duties)

State Laws

For a state-by-state guide to workplace lactation laws, visit www.PregnantAtWork.org/state-workplace-lactation-laws
Incomplete Patchwork

27.6 million

women of childbearing age don’t have the basic legal protections needed by all breastfeeding workers

By mid-day my boobs were so full that I just began leaking everywhere. Soaked through my shirt and sweater. I started thinking, I’m here teaching these babies basic life skills and I don’t even have the time to provide my own baby with food for survival.

Catherine, Kindergarten Teacher

Exposed: Discrimination Against Breastfeeding Workers
Get Involved, or Get Help, Now:

- USBC Workplace Constellation
- WorkLife Law Free Hotline: 1-415-703-8276

Policy Solutions

Enforcement is Key
Policy Solutions

Space requirements that work

- Nearby
- Private
- Sanitary
- Equipped

Policy Solutions

Cover all breastfeeding workers

- All employer sizes
- All industries
- All infant ages
- All genders
- All types of parents
- All health needs
Policy Solutions

8 hour shift, 5 days a week

Pumping 3x at 30 minutes = $54 lost per week (out of $290, pretax)

19% of salary lost...nearly the equivalent of one day per week

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Want to know more?

CONTACT THE CENTER FOR WORKLIFE LAW.

Advocates for expanding breastfeeding rights call 415-565-4640 or email info@worklifelaw.org.

Free legal hotline for workers and students call 415-703-8276 or email hotline@worklifelaw.org.

Legal resources and practical tips for employees, and their health care providers, employers, and lawyers visit www.PregnantAtWork.org.

Legal resources and practical tips for students, Title IX officers, and college/university administrators visit www.ThePregnantScholar.org.