



MISSISSIPPI WINS

Workplaces Improving
Nursing Support

ACCOMMODATING BREASTFEEDING EMPLOYEES IN THE WORKPLACE CAN WORK FOR **YOUR** WORKPLACE

Mississippi families are breastfeeding! Today, 7 out of 10 Mississippi parents breastfeed their babies. Many want to continue after they return to work. Employer support with simple lactation accommodations can make all the difference. It's also required by law. Best of all, it's not hard to do and it can bring positive financial benefits to your business. Even if you already provide basic support, you can easily upgrade it to bring about even more positive benefits!

This CHEER Employer Guide gives simple, practical ideas that you can use NOW!



What Breastfeeding Employees Need

All major medical authorities recommend that babies receive human milk for at least the first two years of life and beyond. Breastfeeding reduces the baby's risk of many illnesses and diseases, including certain kinds of cancer, respiratory infections, Type II diabetes, and allergies. Breastfeeding can also reduce the risk of breast and ovarian cancer, Type II diabetes, and heart disease in mothers. It also helps your employees recover from pregnancy and delivery more quickly.

In Mississippi,

70% of new babies start life breastfeeding.

That number drops to

35% by the time the baby is 6 months old.

By the time the baby is a year old,

22% of MS babies are still breastfeeding.

Returning to work is a major reason for discontinuing breastfeeding. Many employees say they know breastfeeding is best for themselves and their baby. However, it can be challenging to continue after they return to work. Some say they are afraid to ask about expressing milk at work. Your support can make it easier!

Breastfeeding employees say they need three simple accommodations at work:

► **Space**

A private, clean, and comfortable area to express milk that is not a bathroom - preferably with electricity to power their electric breast pump

► **Time**

Break time to express milk as needed

► **Support**

Positive encouragement from supervisors and colleagues



Breastfeeding Support Is Good for Business!

Thousands of businesses across the country have found that lactation support in the workplace is good for business. They've learned that workplaces that support breastfeeding employees can realize a 3 to 1 return on investment because of:

- ▶ **Lower healthcare costs...** because breastfeeding employees and their babies are healthier.

Mutual of Omaha found that their newborn healthcare costs are three times less when employees participate in their lactation program. They save \$2,146 annually for each employee.¹

- ▶ **Lower absenteeism for both mothers and fathers...** less infant illness means fewer days off for parents to care for sick babies.

CIGNA insurance company found a 77% reduction in lost work time because babies who receive their mother's milk are healthier. The company saves more than \$60,000 per year as a result of lower absenteeism rates.²

- ▶ **Lower turnover rates...** more employees return from family leave when they know their decision to breastfeed is supported in the workplace.

Although one in five employees quit their jobs shortly before or after the birth of a child,³ a nine-company study found that the average return to work rate is 94% when a lactation program is provided.⁴

Breastfeeding support improves:

- Employee recruitment
- Employee productivity
- Employee loyalty
- Employee morale
- Your image as a family-friendly employer



¹ Mutual of Omaha 2001. Prenatal and lactation education reduces newborn health care costs. Omaha, NE: Mutual of Omaha.

² Dickson V, Hawkes C, Slusser W, Lange K, Cohen R. The positive impact of a corporate lactation program on breastfeeding initiation and duration rates: help for the working mother. Unpublished manuscript. Presented at the Annual Seminar for Physicians, co-sponsored by the American Academy of Pediatrics, American College of Obstetricians and Gynecologists, and La Leche League, International, on July 21, 2000.

³ U.S. Census Bureau. Maternity leave and employment patterns of first-time mothers: 1961–2008: current population reports P70-128. Washington, DC: USCB; 2011. Available at: <https://www.census.gov/prod/2011pubs/p70-128.pdf>. Retrieved October 12, 2017.

⁴ Ortiz J, McGilligan K, Kelly P. Duration of breastmilk expression among working mothers enrolled in an employer-sponsored lactation program. Pediatric Nursing.

Federal Requirements

The Fair Labor Standards Act (FLSA) requires employers to provide reasonable break time and private space for breastfeeding employees to express milk during the work period. The law states⁵:

An employer shall provide -

- ▶ 1. Reasonable break time for breastfeeding employees to express milk for their nursing child for 1 year after the child's birth each time such employee has need to express the milk; and
- ▶ 2. a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express milk.



A bathroom is NOT an acceptable or lawful option for expressing milk. Airborne bacteria in restrooms can put infants at risk!

Who Is Covered

Following the passage of the PUMP Act on December 29, 2022, most workers, both exempt and nonexempt, have the right to lactation accommodations at work. This includes employees who telework. Some exclusions apply. Check the Wage and Hour Division for more information.⁶

State Laws

In addition to the Federal FLSA requirements, businesses must also follow State laws. Mississippi law prohibits discrimination towards breastfeeding mothers who use lawful break time to express milk at work. MS businesses with corporate offices in other states should check the laws of those states to be sure you are following all appropriate laws at <https://www.ncsl.org/health/breastfeeding-state-laws>.



Consider upgrading lactation support for ALL employees. This extends a sense of “fairness” to all of your valued workers, which can boost morale.

Space Solutions Abound!

Compliance with the federal FLSA standards is possible in nearly every industry and work situation! According to the Society for Human Resource Management's annual employee benefits survey⁷, over half of U.S. companies provide dedicated lactation rooms as part of their family-friendly benefit platform.

Companies in all industries have found both permanent and flexible solutions that work! Federal law does not require a business to have a designated lactation room, though businesses with a large number of employees may find having one useful. More industry-specific ideas are included in the Mississippi WINS “Solution Tip Sheets.”



5 U.S. Department of Labor, Wage and Hour Division. FLSA Protections to Pump at Work. Available at <https://www.dol.gov/agencies/whd/pump-at-work#:~:text=The%20Fair%20Labor%20Standards%20Act,need%20to%20express%20the%20milk>.

6 U.S. Department of Labor, Wage and Hour Division. Fact Sheet #73: FLSA Protections for Employees to Pump Breast Milk at Work. Rev. Jan 2023. Available at <https://www.dol.gov/agencies/whd/fact-sheets/73-flsa-break-time-nursing-mothers>.

7 Society for Human Resource Management. Family-Friendly and Wellness: SHRM Employee Benefits 2019. Available at <https://www.shrm.org/hr-today/trends-and-forecasting/research-and-surveys/pages/benefits19.aspx>.

Industry	Ideas	
Accommodations (e.g., hotel and hospitality)	<ul style="list-style-type: none"> ■ Conference room ■ Hospitality room ■ Manager office ■ Empty guest room ■ Employee break area 	
Education	<ul style="list-style-type: none"> ■ Administration building ■ Small office space ■ Conference room ■ Converted closet or storage room ■ Faculty lounge area ■ Portable lactation pods ■ Locker room ■ Teacher resource area 	
Health Care	<ul style="list-style-type: none"> ■ Conference room ■ Office area ■ Consultation room ■ Empty exam room or patient room ■ Space for multiple users with individual privacy protected through curtains, partitions, or other barriers ■ Portable lactation pods 	
Manufacturing (Including meat-packing plants)	<ul style="list-style-type: none"> ■ Using shelving units or partitions to create private lactation areas ■ Converted storage room ■ Room with portable room dividers or curtains for multiple employees ■ Portable lactation pods 	
Personal Services (e.g., salons, child care, home care)	<ul style="list-style-type: none"> ■ Massage room ■ Empty treatment room ■ Employee break area ■ Storage room ■ Partitions or screens to section off private area 	

Industry

Ideas

Restaurants

- Split shifts
- Manager office
- Storage room
- Flexible space created with partitions
- Shared space in a mall or nearby businesses



Retail

- Dressing room
- Manager office
- Employee break room
- Divider screens in the back to create private space
- Shared space in a mall
- Employee brings baby to work
- Caregiver brings baby to the mom for feedings



Small Business

- Employee's private office (if available)
- Manager's office
- Partition or privacy screen
- Small room or area in the back of the business
- Shared space with a nearby business
- Employee brings baby to work
- Caregiver brings baby to the mom for feedings



Transportation (e.g., bus drivers, train stations, delivery truck drivers)

- Space in city building (e.g., fire station, library, etc.)
- Space in regional center
- Partitioned area in warehouse
- Portable lactation pods or pop-up tents in safe locations
- Private office
- Employee break area



A "Funny Little Space"

Sometimes a "funny little space" can work! This might be an odd-shaped area that is not used much that could easily be sectioned off with a wall or partition for privacy to express milk.



Although using the private office of a manager or coworker is a flexible option, many employees feel uncomfortable asking colleagues to give up their office 2-3 times a day every day. Other solutions that enable access to the space when needed may help employees feel more relaxed and comfortable.

Glad You Asked!

How big should the space be?

A small space (minimum 4'x5') works if it can accommodate a chair and a flat surface for the breast pump, and is large enough for the employee to move around.

Can more than one employee share a lactation room?

Some companies with large numbers of employees provide multi-user rooms to allow more than one person to express milk at a time. However, under the FLSA requirements, each breastfeeding employee is entitled to privacy from “coworkers and the public.” This means employees must be provided privacy from other employees who are expressing milk at the same time. An easy solution is to create individual private “stations” within a lactation room using partitions or other barriers.

How much will it cost?

Usually it costs nothing! Most businesses use existing space and office furniture. If the business builds or renovates a space, costs will depend on the renovations. For example, costs are higher if constructing walls. If converting an existing space such as a well-ventilated storage room, costs can be nominal.

What is the liability risk?

Risks are quite low. The Occupational Safety and Health Administration (OSHA) considers human milk to be food, not a biohazard. Human milk can be stored safely in an employee refrigerator. Potential liability from using a breast pump (if provided by the company) is easily addressed by asking employees to sign a release of liability. If a business allows a caregiver to bring a baby to the mother during breaks for feedings, employees can sign a similar release of liability.

What goes in the space?

The U.S. Department of Labor Fact Sheet #73 states that the space must be “functional” for milk expression. This includes a comfortable chair (ideally one that can be easily wiped clean between users) and a table or flat surface for the breast pump. An electrical outlet is also helpful for employees who use an electric breast pump. Options for other amenities include:

- Ability to lock or secure the space while in use
- Small refrigerator for storing expressed milk
- Access to nearby running water to wash breast pump parts
- Hand sanitizer or wipes
- Signage outside the room
- Artwork or bulletin board to post photos of babies
- Soft lighting to help with relaxation



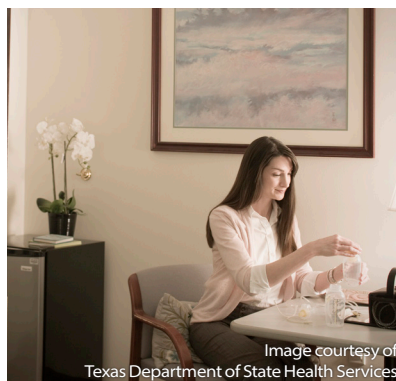
Going beyond the basic requirements makes you a more competitive employer, which will improve your ROI. Ask breastfeeding and pregnant employees what amenities they would find most useful!

TIME Solutions

Since employers are required to give reasonable time to express milk when needed, talk with breastfeeding employees about their needs for break time to express milk. The U.S. Department of Labor notes that nursing breaks do not have to be paid unless employees are using already established paid break periods to express milk. However, if employees work during the time they are pumping, they must be paid.

Most women need to express milk two to three times in an 8-hour work period. Many employees use their usual paid breaks and meal period to express milk. They typically need around 15-20 minutes to express milk, depending on the employee and the age of her baby. This does not include set-up/clean-up and time to get to and from the milk expression area. Policies need to be flexible enough to accommodate the individual needs of each breastfeeding employee. If employees need extra time beyond the established breaks, discuss options for making up the extra time, such as arriving earlier or staying later, or taking a shorter meal period.

Keep in mind that lactation support is a temporary accommodation for your breastfeeding employees. Most employees will need less time for milk expression as they gain experience using their breast pump and as their child grows. Around 6 months of age, infants may begin eating other foods and might need less breastmilk in their diet.



Many companies do not ask employees to clock in and out when taking milk expression breaks because this can add stress which can negatively impact a woman's ability to express milk. When employees feel supported, they are able to relax to express milk more easily and even more quickly.

Communication

Ongoing, proactive communication can help assure lactation accommodations function well for your company and your employees. Ongoing communication assures that Human Resources (HR) or supervisors/managers receive timely feedback when adjustments are needed. Employees who know about the company's lactation support are able to make well-informed feeding decisions for their baby. Consider a defined communication plan that is operationalized within standard HR procedures to assure that all staff are informed and breastfeeding employees receive needed accommodations. For example⁸:



Employee Informs HR or Supervisor

At family leave meeting, HR gives employee:

1. Worksite lactation policy
2. Employee checklist for returning to work
3. List of local breastfeeding resources



HR and Supervisor Confirm Plans

Before employee takes leave, HR and supervisor confirm plans. Employee is given:

1. List of milk expression areas
2. Plan for schedule adjustments and coverage



Ongoing Comm

HR, supervisor, or administrative staff meet with employee:

1. Before they go on family leave
2. Within 10 days after return to work
3. Again within 30 days after return to work

See sample communication messaging in the “Business Resources” section of the *Mississippi WINS Toolkit*.



Supervisors can be proactive by alerting employees during their pregnancy that lactation accommodations are available. Some women are nervous about speaking up about their needs, especially to their supervisors. Letting them know breastfeeding is supported can help employees feel empowered as they make their infant feeding decisions.

⁸ Adapted from the Kansas Breastfeeding Coalition at <http://www.ksbreastfeeding.org>.

Especially for HR...

As a human resource professional, you assure that lactation support provisions and policies align with FLSA and pertinent state laws. You communicate policies and practices with supervisors and employees. You can:

- Include lactation information in recruitment and onboarding of new staff.
- Include the company policy and legal requirements in new supervisor training programs.
- Check in with supervisors to assure that appropriate space and scheduling to accommodate the needs of lactating employees.
- Give employees information on how to obtain a breast pump through the company's insurance plan.
- Monitor usage of milk expression areas and expand, if needed, to additional locations.
- Seek feedback from breastfeeding employees. A standard feedback form can help you assure continued improvements to your support provisions.
- Provide educational resources for breastfeeding employees at work. Check the "Business Resources" section of the Mississippi WINS Toolkit for options to consider.



Form a task force of current and previous breastfeeding employees. Find out what additional support they believe would be helpful for future employees. Consider coordinating a mentor program to pair experienced "mentor mothers" with employees returning to work after the birth of their baby, and/or employees considering pumping at work after returning to work.

Especially for Supervisors...

Managers and supervisors set a positive tone for support. Inform your employees about lactation policies and provisions (preferably during their pregnancy) and arrange for coverage during nursing breaks, if needed. Ways to set a positive tone:

- Inform pregnant employees about the company's lactation provisions and locations of milk expression areas. Even a simple message that "We have a lactation support program should you need it" can help pregnant employees know they will be supported.
- Adjust scheduling and coverage options as needed.
- Inform coworkers of the company's lactation policy and benefits of lactation support.
- Promote a culture of teamwork and mutual respect.
- Work with HR for solutions to address questions or concerns that arise.
- Maintain ongoing communication to assure that employee needs are met.



Mississippi Businesses Making It Work!

Blue Cross & Blue Shield of Mississippi

Blue Cross and Blue Shield of Mississippi based in Jackson has long promoted breastfeeding and models their mission by providing a robust program of lactation support for their own employees.



Photos courtesy of Blue Cross & Blue Shield of Mississippi



Accommodations include:

- Four single-user dedicated lactation rooms (with space available in each of their buildings)
- Comfortable amenities, including a chair, electrical outlet, mirror, sink, and refrigerator
- Badge-swipe access for easy access and security
- Allowing employees to express milk as often and as long as needed to meet their needs
- Electric breast pumps provided under the company's health plan
- Access to trained lactation experts on staff who assist with lactation issues that might arise



Communication is a hallmark of the company's lactation support program. HR routinely informs all managers about lactation accommodations and expectations. As soon as an employee alerts their manager of their pregnancy status, HR conducts a meeting with the employee, usually within days of notification, to discuss company benefits for expectant mothers, including lactation. Information is also included in the employee handbook, in onboarding training of new staff, and during open-enrollment health plan updates. Posters across the facility highlight the importance of lactation support, and word of mouth assures that pregnant people learn quickly about the lactation benefits they can expect to receive.

According to the company's medical director, "The data is clear. When companies support breastfeeding employees, it doesn't just benefit the mothers, it also creates a ripple effect that benefits the entire organization. We want to ensure no mother has to choose between her career and the health of her child. Our workplace values and supports mothers, providing an environment where they can flourish both professionally and personally."

Well Mother Promotional Materials

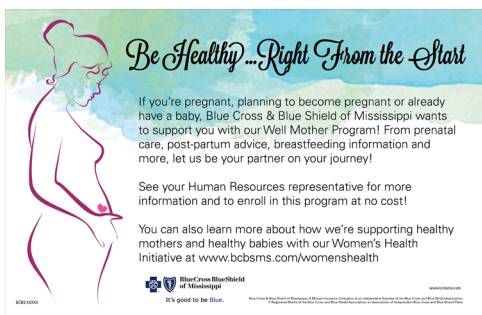




Photo courtesy of University of Mississippi

University of Mississippi

The University of Mississippi, located in Oxford, has 15 lactation spaces strategically located around the campus to keep walk time for lactating employees to less than two minutes. The university uses varied solutions to address differing needs in each facility, including:

- Retrofitting space in older buildings
- Installing lactation pods in key areas (including the basketball arena)
- Integrating lactation spaces into new construction

The Work-Life Resource Department of Human Resources provides oversight of the lactation support provisions. This includes working with facility managers to establish lactation spaces in targeted facilities, implementing a policy that aligns with federal law, which can be found at <https://hr.olemiss.edu/breakpolicyfornursingmoms/>, developing educational resources for parents in collaboration with the Department of Nutrition, and maintaining a list of lactation space locations and key contacts on the university's website. They also work with the state insurance provider to help employees access breast pumps if needed.

The program director summarized the importance of breastfeeding support in the workplace at the university. "This is an important time for women in their career and in their life, and we want them to feel supported. We know that retention and advancement are key issues in the university setting, and we want to do all we can to make the return to the workplace easier for new mothers."





Photos courtesy of Greenwood-Leflore Hospital

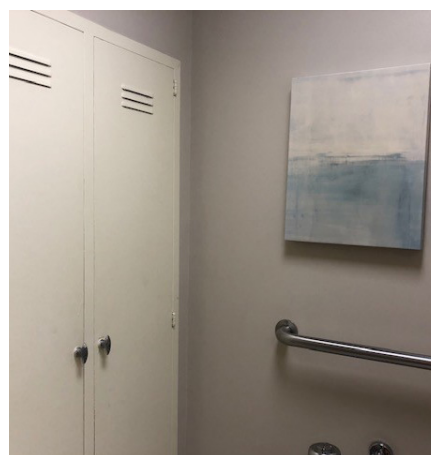
Greenwood-Leflore Hospital

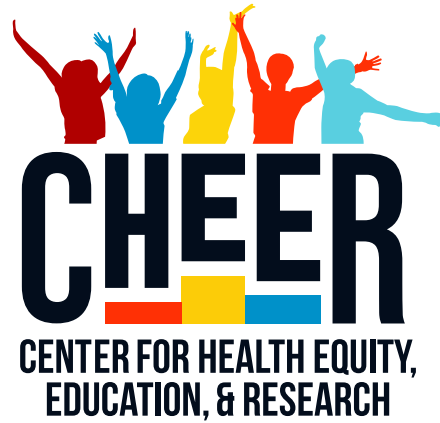
Greenwood-Leflore Hospital in Greenwood, MS, recently implemented lactation accommodations as part of their mission to promote and support breastfeeding - not only with patients but with their own employees. The hospital worked collaboratively with local resources, including the Delta Health Alliance and the Delta Breastfeeding Coalition, to identify needs and develop solutions to normalize breastfeeding in the community. Thanks to enthusiastic support from the hospital administration, the hospital implemented a workplace lactation policy for employees that is included in new employee orientation training.

The hospital identified a former patient room in the OB/nursery area and converted it into a dedicated multi-user lactation space. The room already had a sink and a restroom nearby, and additional renovations were made to make the space functional for milk expression. Recliners, multiple electrical outlets, and curtains inside the room provide privacy and comfort for each individual user.

Information about the accommodations is posted on bulletin boards and included in the Pay Day Pulse Newsletter. A media ribbon-cutting event and community promotion, including a proclamation from the Mayor, has helped heighten awareness of the initiative.

The hospital reports, "As a member of the Delta Breastfeeding Coalition, it was important for us as an organization to recognize what we were doing for our own employees. Knowing that babies should receive breastmilk for 6 months or longer gave us an opportunity to help moms have one less thing to worry about when they come back to work. They can pump here at work in a quiet, relaxing space."





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