



Employer Supports for Nursing Mothers

Fact Sheet



Certain workplace supports for nursing mothers are required by law. The Patient Protection and Affordable Care Act (ACA) signed into law on March 23, 2010, amended section 7(r) of the Fair Labor Standards Act (FLSA). This amendment requires employers to provide a private space, other than a bathroom, for an employee to express breast milk for up to one year after the birth of an employee's child. This space must be shielded from view and free from intrusion from coworkers and the public. Federal agencies are required to provide employees a private space, permanent or temporary, consistent with these requirements.

ABOVE AND BEYOND

In recent years, most Federal agencies have worked hard to provide employees with the space, time and privacy required by law, while others are just learning about the requirements. While ***providing the best possible supports is strongly encouraged***, agencies are reminded that minimum standards are required even in the most unique situations. The following guidance describes the minimum requirements, as well as some agency best practices:

- **Required:**
 - Private space that is free from intrusion and shielded from view.
 - Break time needed for the employee to express milk.
- **Best Practices:**
 - Private space that is shielded from view and locks from the inside.
 - Electrical outlets for breast pumps.
 - Chair(s) and table(s).
 - Sink with running hot water.
 - *Paid* break time needed for the employee to express milk.
 - Medical grade breast pump available to employees.
 - Refrigerator that is NOT shared with employee food.
 - Bulletin board to share resources.
 - Music and other amenities that create a relaxing environment.

EVIDENCE-BASED HEALTH BENEFITS

According to the U.S. Department of Health and Human Services (HHS) Office on Women's Health (OWH) women with children are the fastest growing sector of the U.S. workforce. Employers benefit by supporting employees who need to express milk during the course of the workday. In addition, it is important to remember the many health benefits to both the mother and child.

Health Benefits to the Mother

- Less Risk of Ovarian and Breast Cancers
- Less Risk of Diabetes
- Less Risk of Heart Disease
- Faster Recovery from Pregnancy

Health Benefits to the Child

- Lower Risk of Type 2 Diabetes, Childhood Obesity Asthma and Leukemia
- Lower Risk of Ear and Respiratory Infections
- Lower Risk of Sudden Infant Death Syndrome

BENEFITS TO THE ORGANIZATION

Worksite supports for nursing mothers also have benefits to the organization, including:

- Fewer sick days resulting from improved health of both the employee and child.
- Significantly higher rates of retention than at work places not providing supports.
- Increased job employee job satisfaction and loyalty to the organization.
- Increased productivity on the part of the employee.

See <http://www.womenshealth.gov/breastfeeding/breastfeeding-benefits.html> for additional information.

HEALTHCARE VALUE ADDED

The Affordable Care Act (ACA) also requires that insurance companies cover breastfeeding support, counseling, and equipment for the duration of breastfeeding. Health insurance carriers participating in the Federal Employees Health Benefits (FEHB) Program provide this coverage. Interested employees should check Section 5, Maternity Care of their FEHB health plan brochures for details. TRICARE and health plans offered under the Affordable Care Act also provide coverage for similar services. Your Agency Work-Life Coordinators and Benefits Officers can assist employees and managers in finding out more about specific FEHB carriers' benefits.

RESOURCES & GUIDANCE FOR SUPPORTING NURSING MOTHER'S AT WORK

[Guide for Establishing a Federal Nursing Mother's Program](#) This OPM guide provides Governmentwide guidelines, tools and resources, and information that play a key role in meeting the requirements of the ACA to help one understand the approaches to providing space and addressing other issues related to providing supports and implement effective programs.

[Supporting Nursing Mom's at Work: Employer Solutions](#) This HHS website provides solutions, resources, creative responses to unique situations across business, industry and Government workplaces.

[Federal Work-Life Community of Practice's \(CoP\) Worksite Wellness Resource Webpage](#) Hundreds of resources for agency Work-Life Coordinators can be found on this webpage and new ones are constantly added. Please email worklife@opm.gov for access to the CoP.