



**Breastfeeding
Friendly
Workplace**
An Australian Breastfeeding
Association Initiative

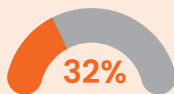
Breastfeeding Friendly Workplace business case

The Breastfeeding Friendly Workplace (BFW) program aims to remove the workplace as a barrier to breastfeeding. Organisations are supported to provide a work environment with the time, space and supportive culture necessary for breastfeeding employees.

Risks and opportunities



1 in 2 women have reported experiencing some form of discrimination during pregnancy or parental leave or when returning to work.



32% of mothers who were subjected to discrimination during pregnancy looked for another job or resigned.

Strategic alignment

Under federal, state and territory legislation, it is unlawful to treat a woman less favourably because she is breastfeeding or expressing. This means it is against the law for an employer to refuse to make arrangements to assist employees to breastfeed or to refuse to accommodate their breastfeeding needs (including expressing) at work.

Fair Work Act 2009

Effective from December 2022, the *Fair Work Act 2009* was amended to include protection of breastfeeding from discrimination. Legal definitions cover the acts of expressing milk, breastfeeding and breastfeeding over a period of time.

Sex Discrimination Act 1984

Under the federal *Sex Discrimination Act 1984*, it is illegal in Australia to discriminate against a person either directly or indirectly on the grounds of breastfeeding. This includes those who need to express breastmilk.

Respect at Work legislation

These amendments introduce a new obligation to the *Sex Discrimination Act 1984*, imposing a positive duty on employers to 'take reasonable and proportionate measures' to eliminate discriminatory conduct including workplace sex discrimination, harassment, and victimisation.

BFW accreditation aligns with these new amendments, working with organisations to introduce a positive duty to prevent discrimination.

Gender Equality Act 2012

Promotes among employers the removal of barriers to the full participation of women in the workforce and the elimination of discrimination on the basis of gender in relation to employment matters, including employees who are breastfeeding.



**Australian
Breastfeeding
Association**

[Learn more](#)

breastfeeding.asn.au/workplace

Forms of discrimination

Deliberately treating an employee less favourably than other employees on the basis that they are breastfeeding is a form of discrimination. It is also discrimination when there are unreasonable requirements or practices in place that are the same for everyone but which disadvantage women who are breastfeeding or expressing.

Types of discrimination includes:

- Missing out on opportunities for promotion
- Missing out on training or development opportunities
- Inappropriate or negative comments from a manager or supervisor
- Job tasks, roles and/or responsibilities being changed without consultation.



Organisational benefits

The benefits are clear for supporting gender equality. Providing safe and respectful work environments improves employee wellbeing and engagement, and increases productivity levels and innovation.

Increase in performance

Establishing a supportive culture for women's participation in the workforce displays open, collaborative and supporting relationships with employers and employees that drive efficiency and performance as well as a more cohesive and more productive workforce.



Positive reputation

Organisations with strategies and policies in place supporting gender equality, including family-friendly workplace policies addressing sex-based harassment and discrimination, reduce the risk of workplace discrimination cases, thus potentially avoiding damaging a company's reputation.



Higher retention rates

Workplace flexibility, breastfeeding facilities, return to work programs and parental and carers leave provisions are main incentives that help drive employee retention.



Attraction of talent

Positive workplace cultures and environments are highly valued for potential employees.



An environment offering gender equality practices and policies with flexible working arrangements in support of employees with family responsibilities are appealing to both women and men.

High-calibre employees are drawn to companies with a positive reputation for promoting and supporting gender equality.



Become BFW accredited.
Submit an expression of interest now at aba.asn.au/bfw



Australian
Breastfeeding
Association

Please email the BFW team for further information at bfwa@breastfeeding.asn.au

Learn more

breastfeeding.asn.au/workplace