



## Breastfeeding & Work: Approaching your employer

All states have legislation that protects your right to combine breastfeeding and paid work. The *Federal Sex Discrimination Act 1984* also protects this right. The *Federal Sex Discrimination Act 1984* was amended on 24 May 2011 to further strengthen the laws protecting the rights of breastfeeding women. ANYONE who discriminates against breastfeeding mothers is now breaking the law. A key difference with the amendments is that breastfeeding is now a separate, stand-alone ground of discrimination, rather than a subset of sex discrimination.

You can find out more information about your breastfeeding rights at work by reading our 'Breastfeeding Rights at Work Factsheet' available from [www.breastfeeding.asn.au/workplace](http://www.breastfeeding.asn.au/workplace)

### Speaking to your employer:

The first step before you return to work would be to discuss your individual needs with your manager or Human Resources Department well in advance of returning to work to see what provisions they have in place to accommodate the needs of breastfeeding employees. You may choose to discuss your intention to continue to breastfeed at the cessation of your parental leave. This advanced notice to the organisation gives them plenty of time to work out ways to accommodate your needs. At this point it could also be useful to provide them with the information around the Breastfeeding Friendly Workplace program, in case they would like to contact the BFW team for assistance. For information that you can give your workplace about the type of support they can provide you visit [www.breastfeeding.asn.au/workplace](http://www.breastfeeding.asn.au/workplace)

If you have an Equal Employment Opportunity (EEO) Officer, Diversity & Equity Group, Human Resources Group or Personnel Group, or are a member of a union, check their attitudes and knowledge of combining breastfeeding and paid work. Items to ask about may include:

- Does your organisation have a Breastfeeding Policy?
- What other policies does your organisation have that relate to employees returning from maternity leave, such as flexible work options?
- Is there a room available at your workplace for breastfeeding and/or expressing?
- Has anybody else in the organisation returned to work while breastfeeding?
- Does your organisation offer lactation breaks – paid or unpaid?
- Is there a salary sacrifice scheme for breast pump hire or purchase available?

Keep a record of your conversations and any decisions made for future reference.

One thing to point out to HR is that your request to accommodate your breastfeeding needs will not last forever, it is short lived, and as your baby ages your needs will reduce. It might be worth pointing out that research shows that supporting you to continue to breastfeed will provide benefits to the organisation:

1. Reduced absenteeism: A study in the US reported that one-day absences to care for sick children occur more than twice as often for mothers of babies who are not breastfed.<sup>1</sup>
2. Lower turnover rates: Some research has found that women who are supported in breastfeeding their

<sup>1</sup>Cohen R, Mrtek MB, Mrtek R (1995) Comparison of Maternal Absenteeism and Infant Illness Rates Among Breast-feeding and Formula-feeding Women in Two Corporations American Journal of Health Promotion 10(2): 148-15.

babies by their employers are more likely to return to work after maternity leave.<sup>2</sup> Studies of several companies with breastfeeding programs in the US showed a retention rate of 94%.<sup>3</sup>

3. High productivity and loyalty: Companies who provide support for breastfeeding have consistently reported improved morale, better satisfaction and higher productivity.<sup>4</sup>
4. Legislation compliance (Sex Discrimination; OHS and Equal Opportunity/EOWA reporting)
5. Demonstrates a commitment to workplace diversity; employee health and wellbeing; and social corporate responsibility.

Some women feel more comfortable putting their request for workplace facilities and lactation breaks in writing to their manager first before discussing their return to work needs face-to-face. However it is always useful to find out your entitlements before approaching your manager so you are better placed to negotiate your individual needs.

Below is a sample memo/letter to tell your manager about your breastfeeding needs. Please feel free to adapt this to use your own words and relate it to your specific work situation.

### **“Re: Breastfeeding Support in the Workplace**

I am grateful for the support I have received during my *[Insert number of months/years]* of employment with *[name of company]*. As you are aware I am expecting a baby in *[insert due month]* and it has been an exciting time for my family and me as we prepare for the birth of our child. To ease the transition back into the workplace, I would like to discuss some arrangements that will allow me to continue breastfeeding after I return to work.

It is really important to me to continue breastfeeding because of the health implications for my baby and myself. As all health authorities recommend and support breastfeeding, there are workplaces that are now making it possible for women to continue breastfeeding following maternity leave and I hope that we can find a solution together. Here are my immediate needs:

1. Private area with a lockable door and a power point so that I can express breastmilk during the day. It really only needs to be a small area to fit a comfortable chair and a small low table to place my equipment.
2. Access to a refrigerator to store breastmilk.
3. Flexibility to use break times to express breastmilk. I will need to express breastmilk about one to three times during an 8-hour workday to prevent blocked ducts, mastitis and maintain my milk supply. Expressing will take approximately 10-15 minutes (plus time to get to and from a place to express).
4. As my baby will grow quickly my need for lactation breaks are short-lived will diminish as my child gets older.

Knowing my company is making it possible for me to continue breastfeeding will help me feel much better about leaving my baby to come back to work. I look forward to discussing this with you. Thank you.”

### **Working Out What You Need**

You may be wondering what your needs will be when you combine breastfeeding and return to work. Every mother and baby’s needs are different, and every workplace is different. You may like to call the National Breastfeeding Helpline and speak with a breastfeeding counsellor about your specific circumstances and suggestions about your needs.

For more information on combining breastfeeding and working contact a breastfeeding counsellor 1800 686 268 or for email counselling visit [www.breastfeeding.asn.au](http://www.breastfeeding.asn.au)

<sup>2</sup>Payne, D., & James, L. (2008). Make or break Mothers’ experiences of returning to paid employment and breastfeeding: a New Zealand study. *Breastfeeding Review*. 16 (2), 21: 2-27.

<sup>3</sup>Ortiz J, McGilligan K, Kelly, P (2004) Duration of Breastmilk Expression Among Working Mothers Enrolled in an Employer-Sponsored Lactation Program. *Paediatric Nursing* 30(2): 111-119.

<sup>4</sup>Galaty, J. (1997). Lactation and the labor market: breastfeeding, labor market changes, and public policy in the United States. *Health Care Women Int.*, 18, 467-480.

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**[www.breastfeeding.asn.au/workplace](http://www.breastfeeding.asn.au/workplace)**