

## Breastfeeding in the Washington Workplace

Although women represent a steadily growing proportion of the U.S. workforce – currently, over half – and many women return to work after childbirth and while still breastfeeding, many employers have been slow to embrace policies permitting breastfeeding at work. If you choose to breastfeed your baby, how can you continue to do so once you return to work?



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### **Benefits of Breastfeeding**

Breast milk contains the perfect combination of nutrients and is easily digested, enhancing your baby's health, growth and development. Babies who are breastfed are less likely to become overweight later in life. What's more, the antibodies in breast milk protect the infant from infections and allergies. This is not only good for the baby and the mother, but for employers as well, because the mothers are less likely to have to take time off of work for doctor visits and to care for a sick baby. Also, breastfeeding may help contain some early childhood health care costs. Some studies have linked breastfeeding to benefits in later life, such as reducing serious chronic diseases and improving social and mental development.

Breastfeeding is good for mothers, too. Mothers who breastfeed release hormones that help the uterus contract to a normal size more quickly than in mothers who bottle feed. Mothers may also lose the weight they gained during pregnancy more quickly if they breastfeed. Breastfeeding has also been linked with lower rates of breast and ovarian cancer.

Breastfeeding also offers emotional benefits, which may result from the physical and emotional bond a mother and child create during breastfeeding. The bond might also promote a mother's feelings of confidence and closeness with her child. Finally, breastfeeding is convenient – no bottles to wash or formula to prepare – and it's free!<sup>1</sup>

### **Breastfeeding Legislation**

Washington law does not require employers to permit breastfeeding or breast milk expression in the workplace, and neither State nor federal law prohibits "discrimination" on the basis of breastfeeding. State law does exempt breastfeeding from criminal prosecution for indecent exposure, but does not say that women have the right to breastfeed in public. Where does that leave women who return to work while still breastfeeding?

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<sup>1</sup> Source: Healthy Mothers, Healthy Babies Coalition of Washington State, [www.hmhbwa.org](http://www.hmhbwa.org).

Washington law *encourages* employers to support breastfeeding in the workplace by adopting a breastfeeding policy that promotes flexible work scheduling and by providing a sanitary and private location and refrigerated storage for breast milk expression.<sup>2</sup> The law provides an incentive by allowing employers who do so to use the designation “infant-friendly” on promotional materials.

The Washington Legislature introduced another bill in 2005 that would have expanded support for breastfeeding among employers; unfortunately, the bill never made it to a vote. A bill was introduced in 2005 and reintroduced in 2006 that would have called for a study that could be used for future legislation; this bill has not made it to a vote either.

## **What You Can Do**

Before your baby is born, and as soon as you can, discuss with your employer a plan for expressing your breast milk during work hours if you anticipate wanting to do so. Talk with someone with whom you feel comfortable and who you think will be responsive. Take a friendly, helpful, cooperative attitude; this works better than threatening a lawsuit!

Have a “plan” in mind before you bring the subject up, but be flexible. Be ready to explain how long it should take you to pump, how often you will need to pump, and how you will schedule this so that it doesn't take away from your regular work schedule. You might suggest pumping on rest breaks, and/or splitting up your lunch hour to pump twice a day, or whatever you think would work best for you. (Washington law requires nearly all employers to provide a 10-minute paid rest break for each four hours worked, and a 30 minute unpaid meal break for shifts of longer than 5 hours.)

Ask for a clean, comfortable, private location to express your milk. If your employer does not have a ready location, look around and find a private, comfortable room with a door that locks from the inside, and suggest it.

Depending on the nature of your job and the needs of your employer, consider a gradual return to work, such as part-time, job-sharing, telecommuting, or even starting back to work mid-week.

If your employer seems resistant to your plans to express milk at work, try to understand and address his or her concerns. Although we live in a society where bottle feeding is common, you don't have to feel uncomfortable talking about what is completely natural and important to you and your baby. You can tell your employer that you plan to express milk in private and that you think doing so will help your return to work be smoother and more successful. You can raise the importance of this issue by briefly explaining the benefits of breastfeeding to your baby, yourself, and even your employer. (Don't oversell – he or she may “tune you out.”) Consider providing your employer with the article, “The Health and Cost Benefits of Breastfeeding,” prepared by the National Business Group on Health and available at [http://www.businessgrouphealth.org/prevention/breastfeeding\\_benefits.cfm](http://www.businessgrouphealth.org/prevention/breastfeeding_benefits.cfm).

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<sup>2</sup> RCW 43.70.640.

Visit the room designated for expressing milk. If you plan to use an electric pump, locate and test the electrical outlet. Make sure there is a clean refrigerator available and a sink for washing your hands and breast pump equipment.

Consider arranging childcare at or near your work, so that you may visit and nurse your baby during your breaks.

After your baby is born, and at least two weeks before you plan to return to work, express milk at least once a day so that your baby will have enough breast milk when you return to work. Be sure to store expressed milk appropriately.

Once you return to work, nurse your baby just before you leave for work and immediately upon returning home. Tell your care provider not to feed your baby just before you pick him or her up after work. Consider nursing an extra time during the night and on days off work to keep your milk flow strong. Don't worry if your breast milk decreases over time. Remember, some breast milk is better than no breast milk at all.

When expressing at work, wash your hands thoroughly in warm water, and take a few minutes to make yourself comfortable; relax, breathe deeply, and think about your baby. Some mothers find it helpful to bring baby's picture, blanket, or special toy to help them relax and their lactation begin. Clean breast pump and equipment after every use. Store the expressed milk in a refrigerator or cooler. Fresh breast milk can be refrigerated up to 1 week. Frozen milk can be kept in a freezer compartment inside the refrigerator for 2 weeks; in a separate door refrigerator/freezer up to 3 or 4 months; and in a deep freezer at constant 0 degrees for 6 months. Frozen and thawed milk can be refrigerated for up to 9 hours, but it should not be refrozen. Plastic containers are the best for storing breast milk. For freezing, use small (2 or 3 ounce) containers to avoid the waste of unused portions at the end of the day. Refrigerated milk and frozen milk should be warmed under a stream of warm tap water. Never microwave breast milk – overheating destroys valuable nutrients and “hot spots” can scald your baby.

If you find that you do not have enough time to express breast milk on your breaks, consider whether you can speed up the process of expressing milk. Some breast pumps are not intended for daily use by a working mother. Are you using a double kit to express milk from both breasts simultaneously? If you are having difficulty, seek help from your local La Leche League. Talk with other women who breastfeed at work for support and encouragement.

If you feel your employer is not providing you with enough time to express milk, discuss some options with him or her, with the aim of balancing your work needs and your nursing needs. Could you shorten your lunch break to make time for other breaks when you pump? Could you come in early or leave late to make up for the missed time? Make it clear that you do not necessarily want extra time off, just a better combination of breaks.

Contact your legislators to explain the importance of a workplace that is sufficiently flexible to allow new mothers to continue providing their babies with breast milk. Ask legislators for their support. A “find” tool for state legislators by your home address can be found at <http://www1.leg.wa.gov/legislature>.

## Support for Breastfeeding Women

- Within Reach (formerly Healthy Mothers, Healthy Babies Coalition of Washington State)  
1-800-322-2588  
<http://www.hmhbwa.org/>
- La Leche League  
1-800-LA-LECHE  
<http://www.lalecheleague.org>
- National Women's Health Information Center  
1-800-994-WOMAN  
<http://www.4woman.gov/Breastfeeding>
- National Business Group on Health  
[www.businessgrouphealth.org](http://www.businessgrouphealth.org)

This general information is not intended as legal advice, or to apply to any specific situation. If you have questions about the application of the law in a particular matter, you should consult a lawyer.