

SB 36: Common Sense Protection for Breastfeeding Working Mothers and their Babies

Mothers with babies under 6 months of age are increasingly likely to return to the workforce, since they are often the sole or secondary breadwinner in the family.

If we want them to be able to continue breastfeeding upon the return to work, Kentucky mothers need assurance that their basic accommodations are protected.

- Although the U.S. Fair Labor Standards Act covers some women, it **does not cover** many salaried or professional women, such as teachers and nurses, who wish to continue breastfeeding after returning to the workforce.
- **Even when mothers are covered** by existing laws, such as the Pregnancy Discrimination Act or the Americans with Disabilities Act (2008 Amendments), **employers may willfully ignore the law** or narrowly interpret it. This is despite published guidelines from the U.S. Equal Employment Opportunity Commission, the Department of Labor, and the Society for Human Resource Management.
- Working mothers who **fear being harassed** by co-workers or their employers for breastfeeding or pumping breastmilk during their legally-constituted break time are less likely to begin breastfeeding at all much less continue once they've returned to the workforce.
- Mothers who are covered under existing laws do not know how to report the violation or who can help them get the worksite accommodations they need and deserve.
- Mothers who lose their jobs as a consequence of asking for their legally-allowed accommodations are **more likely to become economically distressed and utilize public assistance** to support their families. Thus, they are removed from being contributing taxpayers, merely because they followed the law and their employer did not.
- In many parts of Kentucky, women may have few options for paid employment if they lose their jobs. Because of this fear, they may not advocate for their legally-allowed accommodations.
- Many other states have seen the weaknesses in existing laws and have **passed similar common-sense protections with bipartisan support.**

Please support SB 36!

ALL of Kentucky's Working Mothers Deserve Equal Accommodation

Kentucky Trails the Nation in Breastfeeding Success

- The U.S. Centers for Disease Control, the American Academy of Pediatrics, and numerous other health care organizations recognize that babies grow to their fullest potential when they are **exclusively breastfed for the first 6 months of life** and continue to be breastfed through their first year.
- In Kentucky, only about **61%** of babies start out breastfeeding (compared to 79% nationally), and **only 31.5%** are still breastfeeding at 6 months (compared to 49.4% nationally). This places us **48th out of 50 states.**

SB 36 improves the situation for all Kentucky mothers

- It expands worksite protections to all breastfeeding mothers.
- It designates a process for reporting and investigating cases of worksite discrimination, harassment, or discharge based on breastfeeding status.
- It creates clear guidance for both mothers and their employers about legally-required accommodations.
- It helps Kentucky mothers keep their jobs through reasonable accommodations and keep their babies healthy by breastfeeding.
- It keeps Kentucky families stay financially secure and off public assistance.



Making Breastfeeding Easier for All Kentuckians
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