



KATY TANG
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FOR IMMEDIATE RELEASE:

March 7, 2017

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**** PRESS RELEASE ****

**SUPERVISOR KATY TANG ANNOUNCES LEGISLATION TO IMPROVE LACTATION
ACCOMMODATIONS FOR SAN FRANCISCO EMPLOYEES**

*Ordinance supports mothers returning to the workplace who wish to continue to breastfeed and requires
lactation spaces to be incorporated into new construction and renovations*

Today Supervisor Katy Tang announced legislation that will strengthen lactation accommodation standards for employees returning to the workplace. The Lactation in the Workplace Ordinance builds upon existing federal and state laws that protect an employee's right to pump in the workplace. The policy defines mandatory minimum standards for lactation accommodation, requires a workplace lactation policy, a process by which employees request lactation accommodation, and also requires new construction and renovations of a certain size and occupant load to include lactation facilities. Supervisor Tang was joined by San Francisco Department of Public Health (SFDPH) Medical Director of Maternal, Child, and Adolescent Health Dr. Curtis Chan; Director of the Department on the Status of Women Dr. Emily Murase; and members of the Healthy Mothers Workplace Coalition including Legal Aid at Work attorney Julia Parish. The legislation is co-sponsored by Supervisors Malia Cohen, Hillary Ronen, Sandra Fewer, and Jane Kim.

"New mothers who want to return to work face so many barriers - whether it's juggling childcare, balancing a new schedule, or figuring out how to provide breast milk for their child," said Supervisor Tang. "Although there are existing lactation laws, they do not provide minimum standards, such as requiring a place to sit or an electrical outlet. Many women also do not feel comfortable asking their employers for lactation breaks or accommodations, so our legislation seeks to make the lactation discussion a regular part of employment conversations."

Current federal and state laws regarding lactation require reasonable unpaid break time, and a private (non-bathroom) space near the employee's workspace. Supervisor Tang's legislation goes further and creates minimum standards including the space must be safe, clean, and free of toxic or hazardous materials; contain a surface to place a breast pump and personal items; contain a place to sit; and have access to electricity. Employers must also provide a sink with running water and a refrigerator in close proximity to the employee's workspace.

"Working mothers may not be aware of their legal rights and they may feel uncomfortable requesting lactation breaks or finding a suitable space without an active and engaged employer," said Julia Parish, Attorney with the Work & Family Program at Legal Aid at Work. "By incorporating the lactation accommodation process into the hiring and leave process, it takes the guess work out of the equation for both the employee and the employer. There is now a formal way to request lactation accommodations and more guidance for employers on what makes a suitable and comfortable lactation space."



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The American Academy of Pediatrics recommends exclusive breastfeeding for 6 months and continued breastfeeding until 1 year or longer. However, in a 2016 report, the San Francisco Department of Public Health (SFDPH) published statistics showing marked disparities in breastfeeding rates in San Francisco, despite the affordability and the numerous health benefits breast milk provides.

While in the hospital, 97% of San Francisco women initiate breastfeeding according to the California Department of Public Health (CDPH). By one month postpartum, CDPH reports that 23% of these women shift from exclusive breastfeeding to partial breastfeeding and supplementing with some formula. By 6 months postpartum, SFDPH reports that only 16% of low-income mothers who participate in the Women, Infants, and Children (WIC) supplemental nutrition program are exclusively breastfeeding. Hospitals that serve the greatest number of low-income women have the lowest rates of breastfeeding initiation, and white infants enrolled in WIC are two to three times more likely to be breastfed at 1 month of age than their African American and Asian counterparts, according to SFDPH.

“Given the large proportion of mothers that return to the workplace by the time their infants are six months old, it is important to ensure that continuation of breastfeeding after returning to work is facilitated and supported,” said Barbara Garcia, Director of SFDPH. “The Surgeon General’s Call to Action to Support Breastfeeding includes the action to ensure that employers establish and maintain comprehensive, high-quality lactation support programs for their employees. Lactation supportive policies and programs at the workplace play a significant role in the mother’s decision to continue providing breastmilk thus affecting the health outcomes for both mom and her baby.”

SFDPH will also be developing a model lactation accommodation policy and a sample lactation accommodation request form that both can be downloaded from their website by employees and employers. Best practices will also be publicized on the website that include recommendations such as adequate lighting and a hospital-grade breast pump.

“This policy is meant to ensure women are supported when returning to the workplace because for many women, it is not a choice to work when they are living in a city as expensive as San Francisco,” said Supervisor Tang. “It is also a business-friendly policy because employees will want to return to work when they feel supported by their employer.”

The Lactation in the Workplace ordinance will be assigned to a Board of Supervisors Committee and then be voted on by the Board in the coming months.

For more information, please contact Supervisor Katy Tang’s office at (415) 554-7460 or Ashley.Summers@sfgov.org.

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