Vermont Worksites Support Lactating Employees January 2025

Why Support Lactating Employees?

- Saves money: fewer health insurance claims and lower medical costs averaging \$400 in annual savings per breastfed baby
- Reduces employee turnover
- Lowers employee absenteeism
- Improves employee productivity
- Raises employee morale and company loyalty
- It's the law

What Can Employers Do To Support Lactating Employees?



- Develop policy and determine who oversees this program
- Inform employees of the new policy
- Provide a clean, private place with access to electrical outlets and a chair
- Offer flexible breaks
- Apply for Breastfeeding Friendly Employer recognition
- Consider insurance coverage for lactation consultants and breast pumps
- Consider a corporate lactation program if staff includes a significant number of parents
- Understand the laws

Vermont State Laws

Vermont Law Act 117

- Vermont law (Act 117) provides protection for parents who breastfeed in places of public accommodation (schools, restaurants, stores, and other facilities serving the public)
- For more information contact the <u>Vermont Human Rights Commission</u> (hrc.vermont.gov) at 802-828-2480 or toll-free at 800-416-2010 or by email at <u>human.rights@vermont.gov</u>

Vermont Labor Law Amended

HealthVermont.gov

802-863-7200

- Vermont's labor law was amended in 2008 to include the following: Up to 3 years following the baby's birth,
 - $\circ~$ Provide reasonable time, either compensated or uncompensated, throughout the day for the employee to express milk, and
 - Make reasonable accommodation to provide appropriate private space that is not a bathroom.





National Laws

Federal Law: Break Time for Nursing Mothers

- Federal law requires employers to provide reasonable break time for an employee to express milk for a nursing child for one year after the child's birth each time such employee has need to express the milk (Section 7 of the FLSA).
- Employers are required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from

PUMP Act

- New law signed in 2022 made several changes to the Break Time for Nursing Mothers law. The PUMP for Nursing Mothers Act (PUMP Act):
 - Expands the legal right to receive pumping breaks and private space to many more workers including teachers, registered nurses, and farm workers.
 - Clarifies that if employee is not relieved from work duties during the pumping break, the pumping time will count as time worked.
 - If employers do not comply with the law, employees can file a complaint and may choose to file a lawsuit, including monetary damages, against their employer.

What Can Employees Do If Their Rights Have Been Violated?

- An employee who believes their right to express milk has been violated can contact the Center for Work Life Law's free hotline at 415-703-8276 or visit <u>A Better Balance</u> (abetterbalance.org/know-your-rights)
- An employee who believes their right to express milk has been violated should contact the <u>Vermont Attorney General, Civil Rights Unit</u> (CRU) at 802-828-3657 or toll-free 888-745-9195. The CRU may investigate and enforce provisions of the law, and lost wages may be recovered.
- Alternatively, an employee who believes their rights have been violated may make a complaint to the Vermont Judicial Bureau through the <u>Vermont Department of Labor, Wage and Hour Division</u> at 802-828-0267.
- The Federal Fair Labor Standards Act providing <u>break time for nursing mothers</u> is enforced by the <u>U.S. Department of Labor's Wage and Hour Division</u>, 802-951-6283.

Resources

- Vermont Department of Health <u>healthvermont.gov</u>
- Vermont Department of Labor <u>labor.vermont.gov</u>
- Vermont Human Rights Commission hrc.vermont.gov
- Vermont Attorney General, Civil Rights Unit <u>ago.vermont.gov/divisions/civil-rights</u>
- A Better Balance and Center for Work Life Law <u>abetterbalance.org</u> Free, confidential legal helpline: 1-833-NEED-ABB (1-833-633-3222)
- Office on Women's Health womenshealth.gov



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