

February 13, 2020

Dear Member of Congress:

We, the undersigned organizations, urge you to cosponsor the Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act (S. 3170). Introduced with bipartisan support, the PUMP for Nursing Mothers Act would support breastfeeding employees across the nation by strengthening the existing Break Time for Nursing Mothers law.

The Break Time for Nursing Mothers law (Break Time law), passed in 2010, provided critical protections to ensure that employees would have reasonable break time and a private place to pump breast milk. Unfortunately, the placement of the law within the part of the Fair Labor Standards Act (FLSA) that sets minimum wages and overtime resulted in 9 million women — nearly one in four women of childbearing age — being unintentionally excluded from coverage and as such they have no clear right to break time and space to pump breast milk. Those left unprotected include teachers, software engineers, and many nurses, among others.

Without these protections, breastfeeding employees face serious health consequences, including risk of painful illness and infection, diminished milk supply, or inability to continue breastfeeding. According to a [recent report from the University of California's Center for WorkLife Law](#), the consequences of this coverage gap also include harassment at work, reduced wages, and job loss.

Breastfeeding mothers who return to work should not have to struggle to find time and space to express milk, risking their supply and thereby their ultimate breastfeeding success.

The PUMP for Nursing Mothers Act would strengthen the 2010 Break Time law by:

- ***Closing the coverage gap.*** The bill would protect 9 million employees unintentionally excluded from the 2010 Break Time law by extending the law's protections to cover salaried employees as well as other categories of employees currently exempted from protections.
- ***Providing employers clarity on when pumping time must be paid and when it may be unpaid.*** The bill leaves in place existing law protecting many salaried workers from having their pay docked, and it clarifies that employers must pay an hourly employee for any time spent pumping if the employee is also working.
- ***Providing remedies for nursing mothers.*** The bill would ensure that nursing mothers have access to remedies that are available for other violations of the FLSA.

Breastfeeding is a proven primary prevention strategy, building a foundation for life-long health and wellness, and adapting over time to meet the changing needs of the growing child. The evidence for the value of breastfeeding to children's and women's health is scientific, solid, and continually being reaffirmed by new research. Breastfeeding is proven to prevent a wide range of illnesses and conditions. Compared with formula-fed children, [those who are breastfed have a reduced risk](#) of ear, skin, stomach, and respiratory infections; diarrhea; sudden infant death syndrome; and necrotizing enterocolitis. In the longer term, breastfed children have a reduced risk of obesity, type 1 and 2 diabetes, asthma, and childhood leukemia. Women who breastfed

their children have a [reduced long-term risk](#) of diabetes, cardiovascular disease, and breast and ovarian cancers.

A [2016 study of both maternal and pediatric health outcomes and associated costs](#) showed that if 90% of mothers received the support they need to breastfeed their infants according to medical recommendations, 2,600 maternal and child deaths, \$2.4 billion in medical costs, and \$10.8 billion in costs of premature death would be prevented, annually.

More than half of mothers return to the paid labor force before their children are three months old, with as many as one in four returning within just two weeks of giving birth. Many of these mothers choose to continue breastfeeding well after their return to work to meet standard health guidelines—and those employees need to express (or pump) breast milk on a regular schedule.

Businesses of all sizes and in every industry have found simple, cost-effective ways to meet the needs of their breastfeeding employees as well as their business. The HHS Office on Women's Health hosts the [Supporting Nursing Moms at Work: Employer Solutions resource](#), which provides a critical link between the need for workplace support for breastfeeding families and the need for implementation guidance for their employers. The online resource provides a user-friendly tool that employers can easily navigate to identify and implement industry-specific solutions to providing time and space accommodations.

According to the [HHS Business Case for Breastfeeding](#), employers that provide lactation support see an impressive return on investment (almost 3:1), including lower health care costs, absenteeism, and turnover, and improved morale, job satisfaction, and productivity. It is easier to provide temporary, scheduled breaks for milk expression than to cover the missed work shifts of an employee who is absent because either they or their baby is sick.

While 83% of babies are breastfed at birth, only [25% of U.S. infants are still exclusively breastfed at six months of age](#). Obstacles, especially workplace barriers, can make it difficult to fit breastfeeding into many parents' lives. But research clearly shows that employed mothers with access to workplace support are less likely to stop breastfeeding early.

The Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act is a common-sense and important step toward eliminating the barriers to breastfeeding and ensuring **all** families have the opportunity to reach their personal breastfeeding goals.

Again, we urge you to cosponsor this critical legislation and stand ready to help you achieve its passage.

Sincerely,

CO-SIGNERS

International, National, & Tribal Organizations:

1,000 Days
2020 Mom
A Better Balance
Academy of Breastfeeding Medicine
Academy of Nutrition and Dietetics
American Academy of Family Physicians
American Academy of Nursing
American Academy of Pediatrics
American Association of Birth Centers
American Breastfeeding Institute
American Civil Liberties Union
American College of Nurse-Midwives
American College of Obstetricians and Gynecologists
American Public Health Association
Association of Maternal & Child Health Programs
Association of State Public Health Nutritionists
Association of Women's Health, Obstetric and Neonatal Nurses
Baby Cafe USA
Black Breastfeeding Caucus
Black Mothers' Breastfeeding Association
Breastfeeding USA
Dancing for Birth
Every Mother, Inc.
HealthConnect One
Healthy Children Project, Inc.
Human Milk Banking Association of North America
International Board of Lactation Consultant Examiners® (IBLCE®)
International Childbirth Education Association
Justice for Migrant Women
Lactation Education Resources
La Leche League Alliance for Breastfeeding Education
La Leche League USA
Mamava
Mom2Mom Global/Breastfeeding in Combat Boots

Mom Congress
MomsRising
National Alliance for Breastfeeding Advocacy
National Association of Pediatric Nurse Practitioners
National Association of Professionals and Peer Lactation Supporters of Color
National WIC Association
Nursing Mothers Counsel, Inc.
pumpspotting
Reaching Our Sisters Everywhere, Inc.
Search Influence
The Adelante Network, the Latino Network for Health and Education
The Institute for the Advancement of Breastfeeding and Lactation Education
TIME'S UP Now
Transport Workers Union of America
United States Lactation Consultant Association
U.S. Breastfeeding Committee
Women-Inspired Systems' Enrichment

Regional, State, & Local Organizations:

Access Midwifery, LLC
Alabama Breastfeeding Committee
Alaska Breastfeeding Coalition
African American Breastfeeding Alliance of Dane County, Inc.
Appalachian Breastfeeding Network
Arkansas Breastfeeding Coalition, Inc
Asian Breastfeeding Task Force
Akwaaba Mama
Baby and Me Lactation Services
Beltrami County WIC Program
Bemidji Area Breastfeeding Coalition
Birthing Miracles Pregnancy Services LLC
Breastfeeding Center for Greater Washington
Breastfeeding Coalition of Delaware
Breastfeeding Hawai'i
BreastfeedLA
California Breastfeeding Coalition
Coalition of Oklahoma Breastfeeding Advocates

Colorado Breastfeeding Coalition
Connecticut Breastfeeding Coalition
Expectants Parents Organization
Florida West Coast Breastfeeding Task Force
Fortunate Futures
Georgia Breastfeeding Coalition
Greater Miami Valley Breastfeeding Coalition
Healthy Birth of Rochester
Healthy Start Coalition of Orange County
Julie Cunningham Nutrition, LLC
Kansas Action for Children
Kansas Breastfeeding Coalition
Kentuckiana Lactation Improvement Coalition
Knoxville Lactation Clinic
Lactation Whisperer
Lehigh Valley Breastfeeding Coalition
Louisiana Breastfeeding Coalition
Maroon Calabash
Maine State Breastfeeding Coalition
Maryland Breastfeeding Coalition
Massachusetts Breastfeeding Coalition
Milkworks
Minnesota Breastfeeding Coalition
Missoula Breastfeeding Coalition
Missouri Breastfeeding Coalition
Mothers' Milk Bank at Austin
My Pure Delivery
Nebraska Safety Council
New Hampshire Breastfeeding Task Force
New Jersey Breastfeeding Coalition, Inc.
New Mexico Breast Feeding Task Force Santa Fe
Chapter

New Orleans Breastfeeding Center
The New York Milk Bank
New York Statewide Breastfeeding Coalition,
Inc.
North Carolina Breastfeeding Coalition
North Dakota Breastfeeding Coalition
Northwoods Breastfeeding Coalition of Oneida,
Vilas, Forest Counties, Wisconsin
Nursing Mothers Counsel of Oregon
Ohio Breastfeeding Alliance
Om Baby Pregnancy and Parenting Center
Pennsylvania Breastfeeding Coalition
Precious Jewels Moms Ministries
Pretty Mama Breastfeeding LLC
Saline County Breastfeeding Coalition
San Antonio Breastfeeding Coalition
SonShine & Rainbows Lactation Services
Southeastern Lactation Consultant Association
Southeast Michigan IBCLCs of Color
Southern Arizona Lactation Consultant
Association
Southwest Perinatal Education Services
Tampa Bay Breastfeeding Task force
Texas Breastfeeding Coalition
Virginia Breastfeeding Coalition
Western PA Lactation Consultants Association
West Virginia Breastfeeding Alliance
Wisconsin Breastfeeding Coalition
Wisconsin Doula of Color Collective
Women Employed
Women's Law Project
Women's Rights and Empowerment Network