

Vermont Workplaces Support Nursing Moms

Why do Vermont workplaces support nursing moms?

- Average annual savings equal \$400 per breastfed baby (lower medical costs with fewer health insurance claims)
- Reduces employee turnover
- Lowers employee absenteeism
- Improves employee productivity
- Raises employee morale and company loyalty, and
- it's the Law

Additional Protection: Nursing in Public

Vermont law (Act 117) provides protection for women who nurse in public. Mothers have a civil right to breastfeed in places of public accommodation (schools, restaurants, stores and other facilities serving the general public).

For more information, contact the Vermont Human Rights Commission: 802-828-2480, 800-416-2010 or at www.hrc.state.vt.us



What can Employers do to support nursing mothers in the workplace?

- Develop policy and determine who oversees this program *
- Inform employees of new policy
- Determine clean, private place with access to electric outlets and a chair. Consider a walk-through with your employee
- Offer flexible breaks
- Apply for Breastfeeding Friendly Employer recognition*
- Consider insurance coverage for lactation consultants
- Consider corporate lactation program if staff includes significant number of mothers
- **Understand the law:**

In May 2008, Vermont's labor law was amended to include the following:

(a) For an employee who is a nursing mother, the employer shall for three years after the birth of a child;

(1) provide reasonable time, either compensated or uncompensated, throughout the day for the employee to express breast milk for her nursing child. The decision to provide compensated time shall be in the sole discretion of the employer, unless modified by a collective bargaining agreement; and

(2) make a reasonable accommodation to provide appropriate private space that is not a bathroom stall.

(b) An employer may be exempted from the provisions of subsection (a) of this section if providing time or an appropriate private space for expressing breast milk would substantially disrupt the employer's operations.

(c) An employer shall not retaliate or discriminate against an employee who exercises the right provided under this section.

* see Resources



What can employees do to make nursing in the workplace easier?

- Understand Nursing Mothers In The Workplace law
- Create “back to work” plan before your baby is born
- Exclusively breastfeed during maternity leave
- Ask insurance company or employer if cost of breast pump is covered
- Determine scheduling and support needs and talk to your employer as soon as possible
- Do a workplace walk-through, and suggest ideas
- Include your childcare provider in your plan

- Talk to other moms and seek support

What can employees do if their rights have been violated?

An employee who believes her right to express milk has been violated should contact the Vermont Attorney General, Civil Rights Unit (CRU) at 802-828-3657 or toll free 888-745-9195. The CRU may investigate, and has the authority to enforce provisions of the law by bringing a civil action for injunctive relief and economic damaging, including lost wages. The CRU may enter into settlement agreements with employers.

Alternatively, an employee who believes her rights have been violated may make a complaint to the Vermont Judicial Bureau through the Vermont Department of Labor, Wage and Hour Division at 802-828-0267. The Department may, after an investigation by it or the CRU, issue a Vermont Civil Violation Complaint (similar to a traffic ticket). Employers may resolve the case against them by paying a waiver fee or may contest the complaint in a hearing before a Judicial Bureau hearing officer.

An employer who is found to have violated this law must pay a civil penalty of up to \$100 for every violation.

Resources

**Vermont Department of Health
WIC Program**
800-464-4343 / 802-863-7333
www.breastfeedvermont.info

Site features:

- Sample Workplace Policy
- List of breastfeeding friendly employers in Vermont
- WIC (the Special Supplemental Nutrition Program for Women, Infants and Children) breastfeeding information and resources
- Breastfeeding information for new mothers

- La Leche League contacts
- Home Health Agency contacts

To find a Lactation Consultant, contact your local hospital, or the Vermont Lactation Consultant Association
www.vlca.org

**Vermont Attorney General,
Civil Rights Unit (CRU)**
802-828-3657 / 888-745-9195
www.atg.state.vt.us

**Vermont Department of Labor
Wage and Hour Division**
802-828-0267
www.labor.vermont.gov

For more information visit:
www.workandpump.com
www.lli.org
www.kellymom.org

