



Resource and Referral Guide for Breastfeeding Employees and their Employers

This document was developed to help the breastfeeding community appropriately direct individuals seeking information or support related to workplace lactation accommodation and discrimination. The chart below outlines organizations active in this area, and key information about their work.

Type of Support Needed	Organization Name	Summary of Workplace Support Services	Priority Inquiries	Contact Procedures
General Information about Workplace Law				
<ul style="list-style-type: none"> Information on workplace breastfeeding law and enforcement Implementation support Policy development 	State, Tribal, Territorial, and Local Breastfeeding Coalitions	<p>Many breastfeeding coalitions provide support for employees and employers to understand their rights and obligations, and implement workplace support programs and policies.</p>	<p>Programs and capacity of breastfeeding coalitions vary from state to state. Early communication with coalitions is recommended.</p>	<p>Visit the United States Breastfeeding Committee’s Coalitions Directory to find your state breastfeeding coalition.</p>
<ul style="list-style-type: none"> Listening ear Information on workplace breastfeeding law and enforcement Template letter to employer 	Best for Babes Foundation (BfB)	<p>The Best for Babes Foundation provides a listening ear, support, and resources, including template letters to employers. Best for Babes helps connect moms to federal enforcement contacts or other organizations as appropriate.</p>	<p>Best for Babes accepts all workplace inquiries from mothers.</p>	<p>The Best for Babes Foundation provides workplace support through their employment hotline at (844) FREE-2-PUMP.</p>
<ul style="list-style-type: none"> Information on workplace breastfeeding law and enforcement Resource referral 	United States Breastfeeding Committee (USBC)	<p>The USBC responds to inquiries from employees and employers, providing resources and connecting individuals to federal enforcement contacts or other organizations as appropriate. Inquiry trends are assessed and shared with state breastfeeding coalitions and national partners to support expansion and implementation of workplace lactation accommodation laws. In addition, the USBC publishes an Online Workplace Guide that includes an analysis of the intersection of state and federal law.</p>	<p>USBC accepts all workplace inquiries from mothers and employers, as well as advocates working to expand and implement workplace accommodation laws.</p>	<p>Send inquiries to office@usbreastfeeding.org or call the USBC’s workplace project manager at (202) 367-1132 x 21.</p>

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<ul style="list-style-type: none"> Information on workplace breastfeeding law and enforcement 	Job Accommodations Network (JAN)	<p>JAN’s consultants offer one-on-one guidance on workplace accommodations, the Americans with Disabilities Act (ADA) and related legislation. Assistance is available both over the phone and online. Those who can benefit from JAN’s services include private employers of all sizes, government agencies, employee representatives, and service providers, as well as people with disabilities and their families. In addition, JAN publishes a list of resources for breastfeeding employees.</p>	<p>Employees and employers seeking support with implementation of workplace lactation accommodations can contact JAN for support and assistance.</p>	<p>Individuals can contact JAN and request consultation or information services by calling (800) 526-7234 or by emailing jan@askjan.org.</p>
Filing a Complaint				
<ul style="list-style-type: none"> Clarification of “Break Time for Nursing Mothers” law eligibility and requirements File a complaint for violation 	U.S. Department of Labor, Wage and Hour Division (WHD)	<p>The Wage and Hour Division is responsible for enforcement of the federal Break Time for Nursing Mothers Law. Breastfeeding employees who are covered by the Fair Labor Standards Act can issue a complaint with the Wage and Hour Division. The WHD conducts investigations in order to determine compliance with the law. Where violations are found, they may recommend changes in employment practices to bring an employer into compliance.</p>	<p>If an employer refuses to accommodate a breastfeeding employee, employees can file a complaint with the WHD to initiate an investigation.</p>	<p>File a complaint by calling the WHD toll-free information and helpline at (800) 487-9243. You will then be directed to your nearest WHD office for assistance.</p>
<ul style="list-style-type: none"> Clarification of discrimination law eligibility and requirements, including sex discrimination under Title VII of 	U.S. Equal Employment Opportunity Commission (EEOC)	<p>The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of</p>	<p>The EEOC online assessment tool can help individuals decide if EEOC is the correct agency to assist them.</p>	<p>Individuals can call (800) 669-4000 or visit the EEOC website for more information on filing a charge and filing deadlines. File a charge of employment discrimination at the EEOC office closest to home, or at any of the EEOC’s 53 field</p>

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<ul style="list-style-type: none"> the Civil Rights Act File a charge 		<p>the person's race, color, religion, sex, national origin, age (40 or older), disability, or genetic information. Title VII of the Civil Rights Act prohibits discrimination based on sex, including discrimination on the basis of pregnancy, childbirth, and related medical conditions.</p>		<p>offices. Important Note: Federal sector employees have a different complaint process.</p>
<ul style="list-style-type: none"> Clarification of state law eligibility and requirements File a complaint 	State Regulatory Agencies	<p>Many states have state legislation requiring workplace lactation accommodations and/or prohibiting workplace discrimination on the basis of lactation. State agencies responsible for enforcement of these laws may be able to provide support to employers or employees with questions or complaints.</p>	<p>State regulatory agencies enforcement procedures depend on the specific components considered in the state's workplace lactation legislation.</p>	<p>The U.S. Department of Labor Women's Bureau published a map of Employment Protections For Workers Who Are Pregnant or Nursing. It is recommended that individuals contact their state breastfeeding coalition for information on state regulatory agencies.</p>
Legal Assistance				
<ul style="list-style-type: none"> Advice about the legal rights of breastfeeding employees and students Referrals to attorneys across the U.S. who specialize in discrimination law Analysis of laws protecting breastfeeding employees and students 	<p>Center for WorkLife Law, University of California, Hastings College of the Law</p>	<p>The Center for WorkLife Law operates a free legal hotline that provides information and attorney referrals (as appropriate) to employees and students. WorkLife Law attorneys serve as a resource to advocates seeking clarification about the laws that protect nursing mothers at work and in school, and provide guidance to employers and university administrators interested in best practices for complying with the law.</p>	<p>Employees, students, and their advocates who are seeking information about nursing mothers' legal rights at work and school, and women seeking referrals to attorneys.</p>	<p>Contact the Center for WorkLife Law by emailing hotline@worklifelaw.org or by calling (415) 703-8276.</p>
<ul style="list-style-type: none"> Information on workplace breastfeeding law and enforcement 	<p>American Civil Liberties Union (ACLU)</p>	<p>ACLU defends individual rights and liberties by bringing impact litigation and conducting advocacy at the state and federal levels to advance or</p>	<p>ACLU is focused on structural barriers and failure to accommodate pregnancy and breastfeeding,</p>	<p>Individuals can submit inquiries to the ACLU on sex discrimination in employment using the online form.</p>

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<ul style="list-style-type: none"> Legal support/services 		<p>defend civil liberties. ACLU works to end workplace discrimination, including discrimination against women who are pregnant or breastfeeding. In addition, ACLU publishes materials to help individuals understand their rights.</p> <ul style="list-style-type: none"> Pregnant, Post-Partum, and Breastfeeding Workers Federal Law and Pregnant, Post-Partum, and Breastfeeding Workers Delivering Fairness (map of state laws on pregnancy and breastfeeding) 	<p>particularly in male-dominated industries and low-wage sectors, like uniformed services, construction, airlines, manufacturing, retail and restaurant work, domestic work, etc. They are also interested in big box retailers or chains/franchises that are not providing adequate accommodations.</p>	
<ul style="list-style-type: none"> State by State Know Your Rights information around workplace breastfeeding laws Legal support/services 	<p>A Better Balance (ABB)</p>	<p>A Better Balance’s mission is to promote equality and expand choices for men and women at all income levels so they may care for their families without sacrificing their economic security. ABB employs a range of legal strategies to promote flexible workplace policies, end discrimination against caregivers, and value the work of caring for families. ABB also maintains a state-by-state Know Your Rights webpage for pregnant and parenting workers.</p>	<p>ABB focuses on supporting low-wage workers, particularly when they face difficulties at work around their pregnancy and breastfeeding-related needs. ABB speaks with workers even before problems arise, when they are seeking information about their rights or tips to negotiate with an employer. They also represent individuals in more formal legal pursuits.</p>	<p>Find more information at www.abetterbalance.org and babygate.abetterbalance.org, or call the ABB hotlines at (212) 430-5982 or (615) 915-2417 (Southern Office).</p>

Resources identified as of June 2016.