

## **BREASTFEEDING**

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It is both amazing and disturbing that such a natural and basic act of nurturing comes with its challenges, stigma and controversy.

Our bodies and personal choices continue to be part of the legislative processes that continues to marginalize and hold women hostage. In the workplace, the very idea that a boss would forbid or discourage a woman from breastfeeding seems ridiculous. Yet Washington with federal and state laws still infringe upon our freedoms of choice and rights.

President Barack Obama signed the Patient Protection and Affordable Care Act, H.R. 3590, on March 23 and the Reconciliation Act of 2010, H.R. 4872 on March 30, 2010. Among many provisions, Section 4207 amends the Fair Labor Standards Act of 1938 to require an employer to provide a place, other than a bathroom, and reasonable break time for an employee to express breast milk every time she needs to for her nursing child for one year after the birth.

Women across America have felt uncomfortable in public situations when breastfeeding their children and working mothers have had to carefully tailor their schedules so that they can pump milk in the middle of the day in order to avoid stares and whispers when they put their bottles of milk in communal refrigerators. The American Academy of Pediatrics states in part “human milk is the preferred feeding for all infants, including premature and sick newborns and that breastfeeding should begin as soon as possible after birth.”

Nursing mothers will now get support thanks to page 1239 of the Health Care Bill that President Obama signed into law. Although the breast-feeding provisions took effect when the President signed the Patient Protection and Affordable Care Act, the whole issue of enforcement is still not on solid ground. In a “Fact Sheet” that has been released by the U.S. Department of Labor’s Wage and Hour

Division, the general information about this new legislation states “Employers must provide “reasonable break time” for an employee to express milk until her nursing child turns age 1. Advocates say nursing mothers need about a half-hour break for every four hours worked. Additionally, employers must be flexible as far as the time and length of breaks needed by nursing mothers to express milk. Being told that you cannot express milk on your regular breaks may constitute discrimination if others can smoke a cigarette on their breaks and run errands.

However, we cannot claim any part of victory without a battle. We must keep our eyes on the prize. There is more to our struggle. As the New Year begins, the top priority of the new Republican Speaker of the House and his cohorts, is the repeal of health care reform. This would allow women to once again suffer discriminatory insurance practices. The new speaker plans to erode what has been accomplished and repeal the health care law. That would re-open the door to discriminatory insurance practices like charging women more than men for health care coverage and deny coverage to domestic violence survivors and mothers who have had Caesarean sections under the guise that these are “pre-existing conditions. ***Because of the health care law, women are no longer treated like a pre-existing condition – let’s keep it that way.*** Repeal would return us to the days of being at the mercy of the insurance industry, and we can’t go back. Any part of repeal and rewriting health care reform legislation could threaten, weaken, jeopardize and/or eliminate the provisions of the Patient Protection, the Affordable Care Act and the Reconciliation Act.

The following resources are available regarding breastfeeding.

- The National Women’s Health Information Center  
U.S. Department of Health and Human Services  
Office of women’s Health  
(800) 994- 9662

Or visit these websites:

- [Breastfeeding.com](http://Breastfeeding.com)
- [Womenshealth.gov](http://Womenshealth.gov)