

## Breastfeeding-Friendly Business Assessment

Below is scripting for you to provide as you complete this assessment with a business's management or Human Resource department.

*Thank you for agreeing to participate in this Breastfeeding-Friendly Business Assessment and taking the time to answer a few questions today regarding your business's policies around breastfeeding employees and expressing breast milk during the workday.*

*This knowledge assessment is to be used to:*

- *Understand community employers' awareness of and compliance with Colorado and Federal laws requiring employers to accommodate nursing employees.*
- *Collect information about employer barriers to complying with the laws to inform WIC staff's efforts with providing technical assistance to employers.*
- *(Optional) To assess if a business is eligible to receive a Breastfeeding-Friendly Business Award during World Breastfeeding Month, August 2015.*

*The local WIC agency is working to reduce early childhood obesity in the community. Breastfed infants are less likely than formula fed infants to become overweight. Most mothers in our community start breastfeeding after birth and are faced with many challenges in the early weeks. Returning to work is one of them. To reduce an infant's chances of becoming overweight it is important mothers provide only their milk for the first six months of life and that they continue breastfeeding for at least one year. A supportive workplace to pump milk is paramount to whether an infant receives his mother's milk.*

*Responses will be kept confidential and will not be shared with anyone. We want to understand the challenges you face and would like to be a resource for you.*

*Thank you for participating in this assessment!*

### Breastfeeding-Friendly Business Award requirements:

To receive a Breastfeeding-Friendly Business Award, businesses must have a written workplace lactation accommodation policy that contains all the appropriate elements (listed in assessment), employees must be aware of the policy, and accommodations must be made for breastfeeding employees (lactation spaces, break time, etc.). Score the assessment below – all possible points are listed in **purple** below. To be a Breastfeeding-Friendly Business, a business must receive a **score of at least 16 points total.**



**COLORADO**  
Department of Public  
Health & Environment



## Employer Assessment: Workplace Accommodation for Nursing Mothers

### ***About The Business***

Name of Business (optional) \_\_\_\_\_

Interviewee's position \_\_\_\_\_

### **Type Business Sector**

- For-profit organization
- Nonprofit organization
- Government agency
- Other \_\_\_\_\_

### **Industry** (select one)

- Manufacturing (durable goods)
- Manufacturing (nondurable goods)
- Health: Type \_\_\_\_\_
- Services (profit): Type \_\_\_\_\_
- Services (nonprofit): Type \_\_\_\_\_
- Finance
- Government
- Technology
- Hospitality: Type \_\_\_\_\_
- Wholesale/retail trade: Type \_\_\_\_\_
- Educational services
- Insurance
- Construction and mining/oil and gas
- Telecommunication
- Transportation
- Utilities
- Newspaper publishing/broadcasting
- Agriculture
- Legal
- Entertainment: Type \_\_\_\_\_
- Other: \_\_\_\_\_

### **Business Size**

- Small (up to 50 employees)
- Medium (51-499 employees)
- Large (500+ employees)

### **Employee Characteristics**

1. Approximate percentage of females in the company's labor force. \_\_\_\_\_%
  2. Approximate percentage of female employees who are of childbearing age (15-49 years). \_\_\_\_\_%
-

## Components of Workplace Accommodation Laws

The following is an assessment regarding Workplace Accommodation Laws (both state and federal) aimed at understanding your knowledge of breastfeeding accommodation.

- 1) Are you aware of the 2008 Colorado Workplace Accommodation for Nursing Mothers Act?  
Yes\_\_\_\_\_ No\_\_\_\_\_ (yes = one point)
- 2) Are you aware of the amendment to Section 7 of the Fair Labor Standards Act of 1938 described as the Reasonable Break Time for Nursing Mothers in Federal law?  
Yes\_\_\_\_\_ No\_\_\_\_\_ (yes = one point)
- 3) Are you aware the Federal law states nothing in its rules can replace a State law that provides greater protections to employees?  
Yes\_\_\_\_\_ No\_\_\_\_\_ (yes = one point)
- 4) Which of the following are true statements of the **Colorado** Act? Check box(s) for those listed as true. (Only score those that are correct, as listed with **check = one point**). **Check business policy contains all points listed as correct below to be eligible for Breastfeeding-Friendly Business Award.**
  - Employers are required to provide reasonable time (unpaid or paid break and/or meal time) for mothers to express milk at work (check = one point)
  - Employers are required to make reasonable efforts to provide suitable, private space for the purpose of expressing milk at work. (check = one point)
  - Employer is defined as a business with one or more employees, public or private. (check = one point)
  - Employer is defined as a business with fifty or more employees, public or private.
  - Reasonable effort is defined as would not impose undue hardship. (check = one point)
  - Time: unpaid or paid; break and/or meal time; for up to 1 year after the child's birth.
  - Time: unpaid or paid; break and/or meal time; for up to 2 years after the child's birth. (check = one point)
  - Space: a room or other location in close proximity to the work area, other than a toilet stall, where an employee can express breast milk in privacy. (check = one point)
  - Enforcement: if alleged violation occurs, nonbinding mediation is required before an employee may seek litigation. (check = one point)

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***Business's Current Accommodation***

1. What programming or services do you presently provide employees? **(Must meet all of these to receive Breastfeeding-Friendly Business Award)**

We provide reasonable time (unpaid or paid break and/or meal time) for mothers to express milk at work

(check = one point)

We provide a suitable, private space for the purpose of expressing milk at work, other than a bathroom stall.

(check = one point)

We do not provide **time** for mothers to express milk at work due to a hardship. The hardship is \_\_\_\_\_

We do not provide **space** for mothers to express milk at work due to a hardship. The hardship is \_\_\_\_\_

We provide time and space for mothers up to \_\_\_\_\_ months or \_\_\_\_\_ years after the child's birth

2. Please describe the space employees may use for pumping if available:

\_\_\_\_\_

(Assess if space meets requirements: Private space that is not a bathroom stall, electrical outlet available = if yes to requirements = one point)

3. Do you currently have a workplace lactation accommodation policy? (yes = one point)

\_\_\_\_\_

Is it available in writing? (yes = one point) \_\_\_\_\_

Is staff aware of the policy or trained on the policy? (yes = one point) \_\_\_\_\_

How is the training or awareness completed (new employee orientation, etc.) \_\_\_\_\_

\_\_\_\_\_

**Training Invitation**

Would you be interested in receiving recognition and an award certificate for being a Breastfeeding-Friendly Business in our community by complying with all parts of the Colorado state law? Yes \_\_\_\_\_ No \_\_\_\_\_

Would you like more information on how you can comply with the state law and better support breastfeeding women in your workforce? Yes \_\_\_\_\_ No \_\_\_\_\_