



## Supporting Breastfeeding Employees: Checklist for Managers

Flinders University strives to provide an environment that assists employees to integrate work and life commitments. We also recognise the importance of breastfeeding for both carers and baby and aim to provide a family friendly workplace that enables parents to balance breastfeeding and their work responsibilities.

The following checklist has been developed to assist managers in supporting breastfeeding employees by identifying the key areas of discussion and consideration in reaching an arrangement that suits the needs of the employee and the operational needs of the workplace.

Research indicates that supporting employees to combine breastfeeding and paid work will have many benefits for Flinders:

1. Reduced absenteeism: A study in the US reported that one-day absences to care for sick children occur more than twice as often for mothers of babies who are not breastfeed.<sup>1</sup>
2. Lower turnover rates: Some research has found that women who are supported in breastfeeding their babies by their employers are more likely to return to work after parental leave.<sup>2</sup> Studies of several companies with breastfeeding programs in the US showed a retention rate of 94%.<sup>3</sup> The cost benefits of the retention of trained staff members can be significant (no advertising, recruitment, and training costs normally associated with new staff appointments).
3. High productivity and loyalty: Companies who provide support for breastfeeding have consistently reported improved morale, better satisfaction and higher productivity.<sup>4</sup>
4. Legislation compliance (Sex Discrimination Act 1984; WHS and Equal Opportunity – WGEA reporting)
5. Workplace diversity; health and wellbeing; and social corporate responsibility.

### Checklist of points for discussion and/or consideration:

It is recommended that the opportunity for the manager, and the employee, to discuss potential solutions be provided as soon as a need for workplace breastfeeding support is identified. The following are examples of the most common employment situations in which this may arise. Please follow the steps for the most relevant situation.

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<sup>1</sup> Cohen R, Mrtek MB, Mrtek R (1995) Comparison of Maternal Absenteeism and Infant Illness Rates Among Breast-feeding and Formula-feeding Women in Two Corporations American Journal of Health Promotion 10(2): 148–15.

<sup>2</sup> Payne, D., & James, L. (2008). Make or break Mothers' experiences of returning to paid employment and breastfeeding: a New Zealand study. Breastfeeding Review. 16 (2), 21: 2-27.

<sup>3</sup> Ortiz J, McGilligan K, Kelly, P (2004) Duration of Breastmilk Expression Among Working Mothers Enrolled in an Employer-Sponsored Lactation Program. Paediatric Nursing 30(2): 111–119.

<sup>4</sup> Galt, J. (1997). Lactation and the labor market: breastfeeding, labor market changes, and public policy in the United States. Health Care Women Int., 18, 467-480.

## Employee going on parental leave

- ☐ As soon as you are notified of the intention to take parental leave discuss their expected needs prior to the commencement of leave and ensure they are aware of the support available in a Best Practice Breastfeeding Friendly Workplace
- ☐ Highlight the breastfeeding guidelines on [Flinders Family and Caring](#) Webpage and other relevant documentation as well as the availability of lactation breaks
- ☐ Discuss leave arrangements and flexible work options
- ☐ Highlight the location of, and facilities in, the breastfeeding/expressing room (where available)
- ☐ Provide a blank copy of a *Lactation Break Agreement* form for discussion and tentative completion. File a copy of the agreement for finalisation prior to employee's return to work
- ☐ Diarise contact to be made with the employee at least 6 weeks before their scheduled return to finalise arrangements, including if applicable a *Lactation Break Agreement*\*
- ☐ Diarise regular contact with employee to check in regarding transition back to workplace, concerns and what is working well
- ☐ Ask the employee to notify you when their needs change so that the agreement can be amended accordingly

## Pre-adoptive employee

It is possible that an employee will be intending to breastfeed an adopted child and will require similar support to any other employee requesting parental leave, and therefore the checklist above can also be applied for pre-adoptive employees.

\* Where a breastfeeding agreement was made prior to the employee returning to work the expected needs may be different to the actual needs at the time of return. This may include the ceasing of the breastfeeding relationship before the employee had expected. In this situation sensitivity is required. If the steps above are carried out, you can feel confident that the employee has the information needed for you to be able to follow their lead.

## New employee

All new employees may require support to combine breastfeeding and work at some stage during their career. It is possible that a new employee may be breastfeeding a child but will not necessarily mention this during the recruitment process. The need to accommodate a potential employee's wish to continue to breastfeed upon joining our team is not an impediment to their recruitment, and making it one is unlawful under the Sex Discrimination Act 1984 (Commonwealth).

- ☐ Highlight the breastfeeding policy, breastfeeding/expressing room (where available) and status as a Best Practice Breastfeeding Friendly Workplace during induction
- ☐ In the event that a new employee wishes to combine breastfeeding and work, arrange a meeting to discuss the specific needs of the employee
- ☐ Discuss flexible work options
- ☐ Put in place a Lactation Break Agreement if required. Ask the employee to notify you when their needs change so that the agreement can be amended accordingly.

### Points for consideration in all of the above situations

- Some staff may feel sensitive or embarrassed about discussing breastfeeding in the workplace. Understanding their concerns and using an open approach to finding a solution is recommended.
- Not making reasonable efforts to identify an arrangement that suits both the employer and employee may be seen as discrimination.
- If you are unsure of a particular point above, please take notes and advise the employee that you will get back to them after making use of the sources of support listed for managers below.

### Further information on the discussion points

#### Expected needs of the employee

Once breastfeeding is established and parents return to work, they may not have a clear understanding of how returning to work will affect their breastfeeding relationship and how they will manage this process in a work setting, especially if this is their first child. By creating an opportunity for discussion and highlighting the support available they will have a better understanding of how to approach combining breastfeeding and work. You may wish to have some information or support materials on hand to give to the employee for further consideration.

Resources for consideration include:

- [Flinders Family and Caring webpage](#)
- [Flinders Parental and Caring Support Guide](#)

Ideally any return to work agreements or plans should be put into place closer to the scheduled return date or approximately 2-4 weeks before return. This is preferred as it is not uncommon for the needs of the employee to vary from what they thought they would be prior to taking leave.

#### Leave arrangements

Ensure that the employee is aware of leave entitlements and policies further information is available at the following links:

- [Employee Resources/benefits/pay/leave](#)
- [Flinders University Enterprise Agreement 2023 - 2026](#)

#### Flexible hours on return

The needs of the breastfeeding employee are minimal and short lived. It is important to identify how the employee would like to work and what the needs of their position in terms of working hours are. Both of these may influence the flexibility available. It is important to remember the need for flexibility and breaks related to breastfeeding will generally diminish over time. Points to consider include:

- The core hours of operation that need to be taken into consideration
- Options for part time or staggered return
- Age of the child at intended return
- Proximity to workplace and type of childcare

Further information on Flinders Flexible Employment options can be located at:

- [Flinders Flexible employment webpage](#)

#### Breastfeeding Policy

This is a comprehensive document outlining the entitlements of a breastfeeding employee in relation to workplace operational requirements. Please read this document prior to meeting with the employee. A copy can be found on [our Family and Caring webpage](#) under the learn more dropdown menu located in the Breastfeeding and Parenting Facilities section.

## Facilities

As a Best Practice Breastfeeding Friendly Workplace a number of Breastfeeding and Parenting Facilities across several locations are available for staff and students to access. All current facilities are listed on our Family and Caring page. If there is an issue in accessing a space currently listed, you are aware of a facility which is not currently listed, or the creation of additional facility is required, please email [organisational.development@flinders.edu.au](mailto:organisational.development@flinders.edu.au) in the first instance.

- If there is not an existing Breastfeeding/Expressing Room, Family or Career's room available dual use rooms, such as an office, meeting room, storeroom, first aid room or carers room, may be acceptable if they are hygienic and private.
- The existing use and time associated with a dual-purpose room should be taken into consideration when determining its suitability as a shared space for breastfeeding or expressing.
- Ideally, a room suitable for breastfeeding would be private (lockable door), clean and hygienic, and contain a comfortable chair and a table to place expressing equipment on. A refrigerator/freezer, a sink and storage facilities would need to be available to store breastmilk and other equipment. Toilets are unsuitable.
- Asking yourself the following questions can help gauge the suitability of a potential room or space:
  - Would I feel comfortable eating my lunch in here?
  - Would I feel comfortable getting changed in here?
  - If the answer to either of these questions is 'No' then it would not be suitable for an employee to express or breastfeed her baby in this room.
- Toilets, disabled toilets, cleaning rooms and shower recesses are not suitable areas for expressing breastmilk or breastfeeding.

## Lactation breaks

**Why are they needed?** Lactation breaks enable the breastfeeding employee to either express breastmilk, or go to feed baby. A basic understanding of the physiology of lactation is beneficial to understanding the needs of the breastfeeding employee. Breastmilk production works on a supply and demand principle. In any 24 hour period a woman's body will produce the milk sufficient for her infants needs in that same 24 hours. In situations where the parent is unable to feed (or express breastmilk) this volume of milk remains in their body and gives a signal to the body to reduce the amount of milk being produced. In situations where this continues without relief, there is a risk of blockages within the breast, which at best will cause discomfort and at worst may lead to a breast infection called mastitis. As a purely physiological process the timing and duration of lactation breaks is dependant on the individual breastfeeding relationship of the employee and their child.

The *Sex Discrimination Act 1984 (Commonwealth)* states that it may be considered discrimination if a workplace "imposes, or proposes to impose, a condition, requirement or practice that has, or is likely to have, the effect of disadvantaging women who are breastfeeding". Under this legislation and state legislation, (Anti-Discrimination Act, 1992 (Northern Territory), Equal Opportunity Act 2010 (VIC), Equal Opportunity Act 1984 (SA) ) it is lawful to give breastfeeding employees special consideration when meeting their needs. Effective December 2022, the Fair Work Act 2009 was also amended to include protection of discrimination from breastfeeding. The includes the act of expressing milk, breastfeeding and breastfeeding over a period of time.

Flinders University is committed to a culture of inclusivity and belonging for all and strives to make reasonable accommodation for the needs of breastfeeding employees whilst continuing to take into consideration operational needs.

- **Timing of breaks** - Acknowledge the employee's need for lactation breaks and taking into consideration a typical workday for the employee, discuss the possible number of breaks required. Other issues to consider are: will the employee be expressing at work, travelling to baby or having the baby brought to them (this might be off site). For example, consider adding lactation breaks to the normal lunch break if the employee will be travelling to their baby. If discussing this prior to the birth or adoption placement date, the required timings may be difficult

to estimate. A common-sense flexible approach by both parties will normally result in a suitable solution being reached. It is best to finalise these breaks 2-4 weeks prior to the employees return.

- **Frequency of breaks** - Negotiate the frequency and duration of breaks. Consideration should be given to the location, and therefore time it will take for the employee to access, the breastfeeding/expressing room provided or their baby. The International Labour Organisation's Convention 183 recommends that all breastfeeding women in paid employment have access to one or more paid lactation breaks per day or an equivalent reduction in hours at either end of the working day. As an infant gets older the needs may change, and some revision of initial arrangements can be expected.

At Flinders University Lactation breaks are to be made available to employees to breastfeed (go to the baby or have the baby brought onto campus) or express breastmilk during work hours. The number of times women need to feed or express milk will be determined by the individual needs and age of the baby. The younger the baby, the more frequently a mother is likely to need to do so. An employee working a standard 7.35 hour day is entitled to one or more daily breaks of up to one hour per day (or on a pro rata basis).

### Induction Procedures

Inclusion of breastfeeding support during the induction process ensures that all employees who may need this support will be made aware of it. This enables discussions to be initiated if required. Addressing breastfeeding support during the induction process also ensures non-breastfeeding employees are aware of the expectation that they will support breastfeeding colleagues.

### Availability of other support

The Australian Breastfeeding Association has trained volunteer breastfeeding counsellors available on the National Breastfeeding Helpline 7 days a week for information about combining breastfeeding and work. Call 1800 mum 2 mum – 1800 686 268. Members of the Australian Breastfeeding Association can access email counselling at [www.breastfeeding.asn.au](http://www.breastfeeding.asn.au). Both these services can be used if you need more information about the options you are discussing with an individual employee.

### Managing the concerns of others

Sometimes employees may come to you with complaints or concerns about the provisions that have been made for the breastfeeding employee. Below we have included a table of some of these sentiments and some suggested responses.

What you might hear	How you might respond
"It isn't fair that she can have a break when I have to keep working"	Remind employees that other break entitlements exist for employees as the need arises, such as toilet, meal, rest, etc. and that the needs of the breastfeeding employee are minimal and short lived. Flinders supports breastfeeding due to the health benefits to mother and baby, and to meet its legislative obligations.
"Surely it isn't hygienic for her to express breastmilk at work."	Explain that employees expressing breastmilk are required to store breastmilk appropriately. This will prevent contamination of breastmilk for the child. While expressed breastmilk does not pose a hygiene risk to others, proper storage will ensure that colleagues do not come in direct contact with it.

What you might hear	How you might respond
"Individuals on flexible work arrangements create pressure for colleagues who are obliged to work around them"	This can occur if the flexible arrangements are not well implemented and managed. Other team members should be involved in planning so that mutually beneficial arrangements can be made. SSA <sup>ii</sup> research has found the most successful arrangements occur where employees and managers cooperate to ensure clarity, transparency and flexibility on all sides.
"We didn't have anything like this when I/my wife had children. Women today should just get on with it"	Work/life balance has come a long way and we all benefit from this. Flinders University strives to support employees during all stages of their career.

### Support for managers

If a suitable agreement cannot be reached or if further support is required please contact your local [People and Culture Business Partnering](#) Team or [equal.opportunity@flinders.edu.au](mailto:equal.opportunity@flinders.edu.au).