

## 2002 SESSION

ENROLLED

### HOUSE JOINT RESOLUTION NO. 145

*Encouraging employers to recognize the benefits of breast-feeding and set aside appropriate space for such activities.*

Agreed to by the House of Delegates, February 11, 2002

Agreed to by the Senate, February 28, 2002

WHEREAS, women with infants and toddlers are a rapidly growing segment of the labor force today; and

WHEREAS, statistical surveys of families show that more than 50 percent of mothers with children less than one year of age are in the labor force; and

WHEREAS, the American Academy of Pediatrics recommends that mothers breast-feed for at least the first year of a child's life and that arrangements be made to allow a mother's expressing of milk if the mother and child must separate; and

WHEREAS, research studies show that children who are not breast-fed have higher rates of mortality, meningitis, some types of cancers, asthma and other respiratory illnesses, bacterial and viral infections, diarrheal diseases, ear infections, allergies, and obesity; and

WHEREAS, research studies have also shown that breast milk and breast-feeding have protective effects against the development of a number of chronic diseases, including juvenile diabetes, lymphomas, Crohn's disease, celiac disease, some chronic liver diseases, and ulcerative colitis; and

WHEREAS, maternal benefits of breast-feeding include a reduced risk for postpartum hemorrhage and decreased risk for developing osteoporosis, ovarian cancer, and premenopausal breast cancer; and

WHEREAS, the health benefits to children from breast-feeding translate into a threefold decrease in parental absenteeism due to infant illness; and

WHEREAS, although Title VII of the Civil Rights Act of 1964, as amended, applies with respect to "pregnancy, childbirth, or related medical conditions," a few courts have failed to reach the conclusion that breast-feeding and expressing breast milk in the workplace are covered by such title; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That employers in the Commonwealth be encouraged to recognize the benefits of breast-feeding and set aside appropriate space for their employees for such activities; and, be it

RESOLVED FURTHER, That employers also be encouraged to provide reasonable unpaid break time each day to employees who need to breast-feed or express milk for their infant children. Such break time may run concurrently with any break time already provided and provided such activities do not unduly disrupt the operations of the employer. Employers are also encouraged to make reasonable efforts to provide a room or other location, in close proximity to the work area, other than a toilet stall, where the employee can breast-feed or express her milk in privacy; and, be it

RESOLVED FINALLY, That the Clerk of the House of Delegates shall transmit copies of this resolution to the Virginia Chamber of Commerce, Virginia Manufacturers Association, Virginia Chapter of the National Federation of Independent Businesses, and Virginia Retail Merchants Association, requesting that they further disseminate copies of this resolution to their respective constituents so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

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