

# SENATE BILL REPORT

## SB 5600

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As Reported By Senate Committee On:  
Labor, Commerce, Research & Development, February 28, 2005

**Title:** An act relating to encouraging employers to be infant-friendly.

**Brief Description:** Encouraging employers to be infant-friendly.

**Sponsors:** Senators Franklin, Kohl-Welles, Benton, Keiser, Kastama, Spanel, Fairley and Brown.

**Brief History:**

**Committee Activity:** Labor, Commerce, Research & Development: 2/14/05, 2/28/05 [DPS, DNP, w/oRec].

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### SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

**Majority Report:** That Substitute Senate Bill No. 5600 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Keiser and Prentice.

**Minority Report:** Do not pass.

Signed by Senator Honeyford.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Parlette and Hewitt.

**Staff:** Alison Mendiola (786-7483)

**Background:** In 2001, 2SHB 1590 was passed creating the designation of "infant-friendly". An employer may use the designation of "infant friendly" on its promotional materials if the employer has a workplace breastfeeding policy, approved by the Department of Health, addressing:

- flexible work scheduling, including work patterns that provide for the expression of breast milk;
- a convenient, sanitary, and private location, other than a restroom, allowing privacy for breastfeeding or expressing breast milk;
- a convenient water source with facilities for washing hands and rinsing breast-pump equipment; and
- a convenient refrigerator in the workplace for the storage of the mother's breast milk.

In 2001, the Legislature found, as recommended by the American Academy of Pediatrics, that:

- breastfeeding provides a range of benefits for an infant's growth, immunity, and development;
- approximately two-thirds of women who are employed when they become pregnant return to the work force by the time their children are six months old; and
- employers benefit when their employees breastfeed. Breastfed infants are sick less often; therefore, maternal absenteeism from work is lower in companies with established lactation programs. In addition, employee medical costs are lower and employee productivity is higher.

**Summary of Substitute Bill:** A joint task force of the Legislature is to study: (1) the number of breastfeeding women in the workplace; (2) How the employers accommodate these women's needs; (3) the number of employers that have lactation policies; (4) the types of facilities provided by employers who accommodate lactating women; (5) the cost of accommodating lactating women in the workplace; and (6) employer benefits to accommodating lactating women.

The joint task force is to report its finding to the legislature by December 1, 2005.

**Substitute Bill Compared to Original Bill:** Under the original bill, if requested by an employee, employers are encourage to become "infant friendly".

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** Yes.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The concept of encouraging employers to become infant friendly is supported but this bill does not go far enough. The Department of Health supports this program however, the program is unfunded.

**Other:** The statute is fine as-is. The education approach is a good one, challenging for some small businesses to become "infant friendly". This creates a financial burden to business.

**Testimony Against:** None.

**Who Testified:** PRO: Senator Franklin, prime sponsor; Michael Rechner, Self; Kim Rechner, Self; Lisa Jones, Madigan Hospital/Pierce County BFA; Patty Hayes, Department of Health; Cynthia Shurtleff, WA Chapter of the American Academy of Pediatrics/Healthy Mothers, Healthy Babies; Angela Warner-Mein, Olympia Nurturing Touch Education, LLC; and Shawn Blaesing-Thompson, WA State Department of Transportation. OTHER: Carolyn Logue, NFIB; and Amber Carter, Washington Association of Businesses.