

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to the City's compliance with the Affordable Care Act (ACA) in regard to providing accommodations for breastfeeding.

Recommendations for Council action, pursuant to Motion (Krekorian - Martinez):

1. INSTRUCT the Chief Legislative Analyst (CLA), Chief Administrative Officer (CAO), the Personnel Department and the Department of General Services to report on the City's compliance with this provision of the Affordable Care Act in regard to breastfeeding.
2. INSTRUCT the CLA, CAO and the Personnel Department to work with the City's Commission on the Status of Women and report on how the City can raise awareness about this provision of the Affordable Care Act.

Fiscal Impact Statement: Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

On April 6, 2016, your Committee considered a Motion (Krekorian - Martinez) relative to the City's compliance with the Affordable Care Act in regard to providing accommodations for breastfeeding. According to the Motion, every year, approximately 1.8 million women in the United States return to work within six months of giving birth. Since a majority of women in the US do not have access to paid maternity leave and return to work soon after giving birth, it is imperative to protect the breastfeeding rights of women in the workplace.

The American Academy of Pediatrics, World Health Organization, U.S. Surgeon General's Office, and the American Academy of Physicians all recommend nursing exclusively for at least the first six months of a child's life. Breastfeeding yields important immediate and long term health benefits for both the mother and infant. In 2010, with the passage of the ACA, employers with more than 50 employees were mandated to provide reasonable accommodation and time for workers who are nursing. Five years later, the journal of Women's Health Issues found that only 40 percent of new mothers who return to work have access to private space and the breaks they need.

The US Department of Health and Human Services reports that employers that provide accommodations for lactation and breastfeeding benefit from retention of experienced employees, lower healthcare spending, decreased absenteeism, increased productivity, improved morale, and positive company image. Nonetheless, women who choose to continue nursing when they return to work face insurmountable obstacles that may force them to make a choice between their job and the best interest of their child. Work barriers, such as lack of adequate time and privacy, continue to be obstacles and contribute to low rates of breastfeeding in the US.

After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the Motion as detailed in the above recommendations. This

matter is now submitted to Council for its consideration.

Respectfully Submitted,

PERSONNEL AND ANIMAL WELFARE COMMITTEE



MEMBER

VOTE

KORETZ:

YES

RYU:

ABSENT

HARRIS - DAWSON: YES

ARL

4/6/16

-NOT OFFICIAL UNTIL COUNCIL ACTS-