

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Deckert, George L., Monnes Anderson, Starr, Metsger
Nays:	0
Exc.:	0
Prepared By:	Janet Adkins, Administrator
Meeting Dates:	4/18

WHAT THE MEASURE DOES: Requires employers of 25 or more employees to provide unpaid rest periods to employees to express milk if providing rest periods does not cause undue hardship on operation of employer's business. Requires employers to make reasonable efforts to provide a private location where employees can express milk. Limits to mothers expressing milk for their own children. Allows employers to use single or multiple undue hardship factors to justify exemption from requirements of measure. Requires employees to give reasonable notice to employers of their intention to express milk in workplace. Excludes the topic of expressing milk from collective bargaining for school districts. Provides civil penalty provision for intentional violations. Creates an advisory council to respond to a particular industry's request to address compliance difficulties.

ISSUES DISCUSSED:

- Increasing number of women returning to work after giving birth
- Vulnerability of working mothers in the workforce
- Importance of breast feeding to babies and mothers
- Reduced absenteeism anticipated
- Potential impacts on businesses

EFFECT OF COMMITTEE AMENDMENT: Provides that sums collected as civil penalties be paid to the Department of Human Services for the Breastfeeding Mother Friendly Employer Project after administrative and hearings costs. Resolves conflicts with Senate Bill 400.

BACKGROUND: In 2005, the Legislative Assembly enacted Senate Bill 618, giving employers the option of providing unpaid rest periods to employees to express milk. The Department of Human Services implemented a Breastfeeding Mother Friendly Employer Project to encourage employers to support nursing mothers when they return to work and to provide employer support, free employer packets, and employer recognition.

According to the American Academy of Pediatrics, breastfeeding or express milking keeps milk production stimulated. If milk is not emptied from the breasts regularly, the mother's body will discontinue making milk. Eleven states have laws related to breastfeeding in the workplace (California, Connecticut, Georgia, Hawaii, Illinois, Minnesota, Oklahoma, Rhode Island, Tennessee, Texas, and Washington). ORS 653.077 allows employers to offer unpaid rest periods for expressing milk. House Bill 2372-B makes the unpaid rest periods mandatory for businesses with more than 25 employees unless doing so would cause undue hardship on the business operations.

4/27/2007 4:24:00 PM

This summary has not been adopted or officially endorsed by action of the committee.