



You Have the Right to Breastfeed!

A mother has the right to breastfeed wherever she goes with her baby, whether or not there is a law. However, we now have laws in most states, including Maryland, to clarify that right and protect mothers from being told to stop breastfeeding in public.

Breastfeeding in Public:



A mother may breastfeed her child in any public or private location in which the mother and child are authorized to be.

A person may not restrict or limit the right of a mother to breastfeed her child.

This means that no one should be telling mothers who are breastfeeding that they need to go to a specific place to do so or that they may not do so at all.

Md. Code Ann §20-801

If you experience a situation in which your right to breastfeed is challenged, you can report noncompliance with the Maryland law to the Maryland Attorney General's Consumer Protection Division by calling 410-528-8662. You can also file a complaint by e-mail to Consumer@oag.state.md.us, or online at www.oag.state.md.us/consumer.

Breastfeeding Supplies are Tax-exempt:

Maryland law makes supplies that may be used by nursing mothers, tax free. (*Md. Code §11-211*). Exempt items that support breastfeeding include breast pumps, breast pump hook-up kits, breast shells, nursing shields, Supplemental Nursing Systems (SNS), feeding tubes, breast milk storage bags, finger feeders, and purified lanolin.

Breastfeeding and the Workplace:

Federal law protects a mother's right to pump milk upon returning to work. This law requires employers to provide reasonable break time and a space, other than a bathroom, for an employee to express milk for her infant up to one year after the child's birth. Your employer is not required to pay you during pumping sessions. Be sure to speak with your supervisor about the amount of time you'll need to pump your milk, where you can do so, how it can fit into your workday schedule, and how you can make up any extra break time that you take. Federal law does allow small employers (those with less than 50 employees) to apply for an exemption to this

requirement, but the employer must show that the requirement results in hardship to the company and must receive approval from the federal government.

Patient Protection and Affordable Health Care Act (P.L. 111-148)

If you believe that your employer is not following the break time for nursing mothers requirement, you can call 1-866-487-9243. You will be directed to the nearest Wage and Hour Division office for assistance.

Links:

<http://www.dol.gov/whd/regs/compliance/whdfs73.htm>