### Guide to

### Family Forward Workplaces



**Business Smart. Family Friendly. Future Ready.** 





# Guide to Family Forward Workplaces

### **Executive Summary**

Family Forward Workplaces is an innovative initiative to improve children's health and well-being and keep Kansas's businesses and workplaces competitive. It is employer-led change to increase access to research-based, family friendly practices—big and small—that improve workplace productivity, recruitment and retention; grow a strong economy; and support children's healthy development.

Family Forward Workplaces is fostering a community of employers who are inspired to support the health and well-being of our state's current and future workforce. It is led by the First 1,000 Days Kansas, an initiative of the Kansas Breastfeeding Coalition, dedicated to building a foundation of lifelong health, education, and well-being for every child.

Family Forward Workplaces is business smart, family friendly, and future ready.

#### **Business Smart.**

Family friendly workplaces provide a competitive advantage in attracting and retaining talent, increasing productivity and employee satisfaction, and reducing absenteeism.

### Family Friendly.

Employees who work in family friendly organizations are more satisfied with their jobs, more engaged with their work and less likely to leave the workforce. On top of that, family friendly benefits have a direct, positive impact on children's and parents' health and well-being.

### **Future Ready.**

Family friendly business policies support children's healthy development, building a strong foundation for future learning at a critical time in childhood development. When we support young children in their earliest years, they grow into healthy kids and adults who are ready for school and for life—and our communities, workforce and economy become stronger and more productive.



### Our vision is a Kansas where:

- Workplaces are family friendly.
- Children's healthy development is supported, especially children who face the greatest challenges in their early years.
- · Kansas businesses are competitive.
- Our next generation workforce is successful.

#### In this guide, you'll find:

- Evidence-based guidance on benefits that positively impact child health and well-being and provide a positive return on investment for employers;
- · Information about each benefit and its impact;
- Sample policies and case studies from employers who successfully implemented family friendly policies;
- Steps for how to get started when implementing new policies or enhancing existing ones.

Business owners, CEOs, human resource professionals, and employees can use this guide as a reference to start conversation and action within your organization. The guide has been designed for use in its entirety or by individual section, so you can choose the information that best meets your needs.

#### In addition to the guide, you can stay engaged with Family Forward Workplaces in several ways:

- · Access the resources on the Family Forward Workplaces website, familyforwardks.org.
- Share your family friendly policies with us so we can write a case study about your company or organization.
- · Contact us for assistance and/or connection to other employers for peer support.

To sign up for Family Forward Workplaces communication, share your testimonial, or learn more about upcoming events, go to familyforwardks.org.

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Family Forward Workplaces is led by First 1,000 Days Kansas first1000daysks.org info@ksbreastfeeding.org

An initiative of the Kansas Breastfeeding Coalition



### **About Us**

### **About Family Forward Workplaces**

Family Forward Workplaces is an innovative initiative to improve children's health and well-being and keep Kansas's businesses and workplaces competitive. It is employer-led change to increase access to research-based, family friendly practices—big and small—that improve workplace productivity, recruitment and retention; grow a strong economy; and support children's healthy development.

#### **Our Mission**

The mission of Family Forward Workplaces is to engage, support, and promote employers of all sizes and in all sectors in adopting family friendly policies that improve child and family health and well-being and provide direct business benefits to employers.

#### **Our Vision**

Our vision is a Kansas where:

- · Workplaces are family friendly.
- Children's healthy development is supported, especially children who face the greatest challenges in their early years.
- Kansas businesses are competitive.
- · Our next generation workforce is successful.

### **About First 1,000 Days Kansas**

Each year in Kansas, over 35,000 babies will be born. 35,000 women will give birth. 35,000 families will do their best to ensure that their baby grows into a socially, emotionally, and physically healthy child who is confident, empathetic, and ready for school and life. This will be easier for some families than for others.

We are building a movement in Kansas to change that. We will reset systems so *all* families have equitable access to opportunities to grow and thrive. Our focus is on the first 1,000 days between a woman's pregnancy and their child's 2nd birthday. This period sets the foundation for all the days that follow.

### How to Get Involved

In addition to the guide, you can stay engaged with Family Forward Workplaces in several ways. Visit our website to sign up for updates or share your story: familyforwardks.org

Access



on our website.

By making sure all Kansas families have access to support—including mental and physical health services, high-quality child care, paid leave, financial security, and support networks, regardless of their skin color, gender, or life experiences—we can strengthen our communities and live up to our promise as a state. Join us so all Kansas children and their families are able to reach the stars! The Kansas state motto is "ad astra per aspera" – to the stars through difficulties

First 1,000 Days Kansas is modeled after the award-winning 1,000 Days. For more information about First 1,000 Days KS, visit first1000daysks.org.

### **About the Guide to Family Forward Workplaces**

Our goal is to build a community of employers who are inspired to support the health and well-being of our state's current and future workforce. This guide details research-informed benefits that positively impact child health and well-being and provide a positive return on investment for employers. In addition to information about each policy and its impact, we've provided sample policies, a case study from employers and concrete steps for how to get started when implementing new policies or enhancing existing ones.

#### **How to Use This Guide**

Throughout the guide, we've highlighted steps that businesses of all sizes and in all industries can take to make their organizations more family friendly. We've also incorporated data specific to employers of hourly and low-wage workers, who are less likely to have access to family friendly benefits.

Not all policies within this guide are right for every employer; however, the variety of options provides something for everyone. We encourage human resource professionals, business owners, CEOs, and employees to use this guide as a reference to start or continue conversation and action within your organization. Perhaps that's a survey of employees to determine what benefits they would value most. Perhaps it's a review of existing policies to ensure they are based on best practice and research. Perhaps it's a commitment to consider (or re-consider) a paid parental leave policy or a lactation room to support breastfeeding workers. Whatever it is, we encourage you to take the next step toward becoming a Family Forward Workplace.

#### **Access the Guide Online**

The Guide to Family Forward Workplaces is also available at familyforwardks.org.



Sign up for

### **Participate**



Participate in or host a workshop or webinar to hear from experts, ask questions and learr more about Family Forward Workplaces.

### Share



policies and contribute to future case studies.





# A Snapshot of Working Families

### Families have changed.

But family friendly policies have lagged behind. Many US and employer policies are based on an outdated model: a two-parent household, with one parent who works outside the home for pay. Today, only 68.9 percent of households include two parents<sup>1</sup>, and only nine percent of all families—single-parent and two-parent—have one parent who cares for children full time.

That means the vast majority of families must work in a system that was created for a bygone era. Here is what that looks like for working parents and employers across the country.

As parents struggle to balance work and family obligations, employers are losing out.

In 2016 nearly two million parents of children age five and younger had to quit a job, not take a job, or greatly change their job because of problems with child care.







Seventy-five percent of US mothers and 50 percent of US fathers say they've passed up work opportunities, switched jobs or quit to care for their children. <sup>2</sup>

Nearly 40% of parents nationwide say they've left a job because it lacked flexibility.<sup>3</sup>

### The struggle is real and includes working parents in Kansas.

Only



of private industry workers nationwide have access to paid parental leave,<sup>5</sup> and nearly a quarter of moms return to work just two weeks after having a baby.<sup>4</sup>

Less Than



have paid family leave through their jobs.6

More Than



families nationwide spend 20% or more of their annual household income on child care.<sup>7</sup>

### Hourly and low-wage workers are impacted the most.

Hourly workers make up 59% of the workforce8 but are

- · less likely to have access to family friendly benefits
- · less likely to be able to afford unpaid leave or child care
- more likely to drop out of the labor force after giving birth.<sup>9</sup>

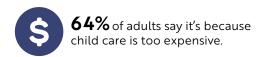
Roughly 6 million American parents work in jobs that pay \$10.50 or less per hour.

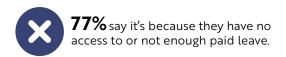
Low-wage employees have the least access to family friendly policies, which has significantly and disproportionately affected their health and economic security.<sup>10,11</sup>

#### Working families struggle → declining birth rate → smaller future labor force

The US birth rate has dropped to an all-time low, which economists warn will affect long-term economic growth. $^{12}$ 

### Why are Americans having fewer babies?





Up to 5 million more workers would join the labor force if US businesses offered more family friendly benefits like paid parental leave.<sup>14</sup>

### The Case for Family-Friendly Workplaces

### Business Smart.

Family friendly workplaces have a competitive advantage. They attract and retain more top talent, and their employees are more productive and committed.<sup>12</sup> Plus, family friendly employers benefit from reduced employee health care costs,<sup>15</sup> a healthier work environment, and fewer employee absences.<sup>16</sup>

Employers of all sizes see family friendly practices as an effective way to grow a more prosperous company, and employees both nationally and across the state say they are more likely to work for employers who are family friendly.



**86%** of US millennials, which now make up the greatest percentage of the workforce,<sup>17</sup> say they are less likely to leave an employer that offers paid parental leave.<sup>18</sup>

Of more than 1,500 human resource officers surveyed in 2016,

71% said paid family leave positively impacted productivity, and 82% reported improved employee morale.<sup>20</sup>

### Family Friendly.

For children and families, the benefits of family friendly workplaces are numerous and long lasting. They include positive impacts on health, development and well-being, financial stability, and future career success.

Children whose parents have access to family friendly benefits receive much-needed support and time with their parents during the most critical years of human development. This leads to positive health outcomes, higher education attainment, and future career success. Parents who have access to family friendly benefits also have improved health outcomes and are happier and more productive at work.

### Family friendly benefits increase positive outcomes and decrease negative outcomes for children and families.

Babies born to parents with paid parental leave are:

- less likely to be born prematurely
- more likely to be born at a healthy birth weight

Parental leave of at least 6 weeks for mothers and two weeks for fathers:

- significantly lowers a mother's risk of postpartum depression and anxiety
- increases paternal engagement in caregiving throughout a child's life21

For each additional month of paid parental leave, there is a 13 percent decline in infant mortality for families from low and middle income countries.<sup>19</sup>

Children whose parents have paid parental leave, paid sick leave and other family friendly benefits are more likely to have:

- well care visits and immunizations, especially for measles and polio<sup>21</sup>
- better test scores in school
- fewer behavioral or mental health problems
- regular school attendance

Mothers who are able to breastfeed for at least 13 months in their lifetime have a 63 percent lower risk of ovarian cancer.<sup>22</sup> Breastfeeding also lowers a woman's risk of:

- breast cancer
- high blood pressure
- type 2 diabetes

### Given average child care costs in Kansas,

### a minimum-wage worker needs to work full time for 39 weeks just to pay for high-quality care for one infant.<sup>23</sup>

When their employer offers child care reimbursements or child care on site—either full-time, part-time, or on a back-up basis—low-wage workers are more likely to be able to afford child care and are less likely to drop out of the labor force after giving birth. Predictable scheduling allows hourly workers to better plan for child care needs.

### Future Ready.

To prepare our future workforce for success, we have to start in early childhood. Family Forward Workplaces focuses on workplace policies that impact young children and their families and is rooted in research on brain development and future success. During children's earliest years, their experiences are built into their bodies—shaping the brain's architecture and creating the foundation for future learning and health. In other words, everything a child experiences from birth impacts that child's ability to fulfill their potential.

The early years are so defining that by the time a child turns eight, his or her third-grade reading outcomes can predict future academic achievement and career success. Decades of research have established what children need to build strong brains—health and development on track from birth, supportive and supported families and communities, and high-quality birth throughage eight learning environments with regular attendance.

"American business depends on a strong workforce, now and in the future, to compete and succeed globally. But America is facing an unprecedented workforce crisis: a large and growing shortage of skilled workers. One root of this problem is that we've underestimated the importance of the earliest years of life." — US Chamber of Commerce Foundation



### Right now across the country, there are more jobs open than people looking for work.

This includes Kansas, which has a low unemployment rate of 2.9% as of May 2023, according to the Bureau of Labor Statistics. That makes finding talent difficult, so employers must do what they can to compete.

On top of that, Kansas and the country are facing a growing skills gap.

Currently, the majority of Kansas children are not meeting key predictors of future academic success and higher education attainment.



### 31% of 4th graders scored at or above reading proficiency

in Kansas during 2022

as measured by the National Assessment of Educational Progress.



In 2019, only **27% of Kansas** graduates met all four **ACT College Readiness** Benchmarks.<sup>24</sup>

"The foundation for school, career and life success is largely determined through the development of cognitive and character skills beginning in children's earliest years." -Nobel Laureate Economist, Professor James J. Heckman





# What Makes a Workplace Policy Family Forward?

Each policy recommended in this guide has a research base that shows positive business impact for employers and a positive impact on children's health and well-being.

Each policy is described in detail throughout this section. Benefits to employers and to employee and child health and well-being are highlighted, along with examples of how employers have incorporated these practices into their workplace.

### Policies in this guide fall into four categories:

Paid Leave	For the purposes of this guide, we focus on paid leave only, as paid leave has more positive impacts on employers and employees versus unpaid leave. Types of leave included are family and medical leave.
Flexible Work and Scheduling	Flexible work includes flextime which allows employees to choose when they work, as long as they put in their hours every week.
Child Care	Child care solutions include subsidized or reimbursed care.
Accommodations and Support	This category includes support for pregnant and breastfeeding workers.

### **Paid Leave**

### Family and Medical Leave

Family and medical leave allows employees to take paid time off to care for a long-term medical issue for themselves, their children, or a loved one or to address needs during a long-term absence from work, such as a military deployment.

Benefits to Employers	Benefits to Children	Benefits to Parents/Families <sup>25</sup>
Increases productivity  Does not impact profits  Increases retention, reducing turnover costs  Reduces employee absenteeism  Provides healthier work environment  Reduces health care costs  Workers recover from disability, illness, or injury more quickly  Increases loyalty	Encourages use of preventative health care  Children recover more quickly from illness and injury when parents are available to care for them	Encourages use of preventative health care  Workers recover from disability, illness, or injury more quickly

### **Research or Recommendations from National Organizations**

While it does not provide a recommended amount, the American Medical Association strongly encourages private employers to offer paid sick and medical leave and allow employees to use that leave to care for children when they are sick or injured.<sup>26</sup>

The duration of paid leave that is necessary for employees to care for themselves, their child or a loved one, during a long-term illness or injury varies greatly, according to the World Policy Center:27

· For personal medical leave, six months is important to cover severe illnesses, such as cancer that requires chemotherapy and/ or radiation treatment. However, some workers may be able to return to work parttime or intermittently while undergoing treatments, and leave can be shorter for less serious injuries or illnesses.

- · Paid personal medical leave should also be made available on a part-time and intermittent basis for workers with chronic conditions to encourage follow-up and ongoing care.
- · For children, parental presence is important for the full duration of the illness; however, during periods of recovery, this care can be split between parents or other close caregivers. Employers should work with employees to determine an optimal schedule of paid time off based on the child's illness or injury.

### Range of Practices in the United States

Just 15 percent of workers have access to paid leave to care for their own long-term illness or the long-term illness of a child.<sup>28</sup>

As of 2015, federal contractors must provide at least seven days of paid sick and family medical leave to employees for preventative care, an existing health condition, illness or injury.

The US is one of the few developed, industrialized nations that does not require paid family and medical leave by federal law.

Twenty-eight percent of private industry workers and 70 percent of public industry workers have access to paid military leave.<sup>29</sup>

### **CASE STUDY**

### Deloitte<sup>30</sup>

Deloitte LLP and its subsidiaries recorded \$27.9 billion in U.S. revenues in the fiscal year end May 28, 2022. Current total headcount is more than 156,000.

Consulting firm Deloitte, with more than 80 U.S. locations including Kansas City, recruits approximately 20,000 employees each year.

That means Deloitte is constantly evaluating ways to attract and retain talent. According to Supporting Working Caregivers: Case Studies of Promising Practices, a 2017 report from the ReACT Coalition, Deloitte discovered that "flexibility to meet both professional and personal demands emerged as a key factor in both recruitment and retention, particularly for high performers, and employee surveys revealed that eldercare—which requires flexibility—was increasingly among their personal responsibilities."

With CEO Cathy Engelbert's support, the company expanded its family leave program in September 2016, allowing all full-time employees to take up to 16 weeks of paid time off annually for caregiving for new children and other family members, including aging parents. Employees may use the time all at once or periodically throughout the year.

In addition to paid leave, Deloitte provides 30 days of subsidized emergency backup dependent care, which includes adult relatives of employees, and the company also provide consultations for employees regarding eldercare needs, along with referrals to providers, coaching to help manage and navigate complicated systems and programs, and therapy for the stress that may accompany caregiving responsibilities.

"Flexibility to meet both professional and personal demands emerged as a key factor in both recruitment and retention, particularly for high performers."

### Flexible Work & Scheduling

### **Flextime**

A flexible work schedule allows employees to choose when they work, as long as they put in their hours every week.

Benefits to Employers	Benefits to Children	Benefits to Parents/Families
Increases productivity Improves the bottom line Improves recruitment Increases retention, reducing turnover costs Reduces employee absenteeism Improves relationships with co-workers Increases morale, loyalty, commitment Increases overall job	Improves physical and social emotional health, through parental stress reduction  Reduces obesity  Improves education, through increased parental engagement	Improves health Increases happiness and job satisfaction Reduces stress Allows employees to care for sick or elderly family members Improves family economic security
satisfaction		31

### **Research or Recommendations** from National Organizations

A significant amount of research indicates that flexibility in all forms is one of the most beneficial policies to help employees balance family and work. Having some control over when or where to work allows workers to juggle the demands of long hours and care for children, according to the National Council on Family Relations.32

Research in the Journal of Health and Social Behavior shows that employees at Best Buy headquarters who could change their schedules based on their individual needs and job responsibilities reported getting more sleep, felt less obligated to work when sick, and felt more likely to seek medical help. Employees reported better sleep quality, higher energy levels, lower emotional exhaustion, physiological stress and work-family conflict and better overall health.33

Younger employees see flextime as more important.34 Nearly 40 percent of parents nationwide say they've left a job because it lacked flexibility.35

### **Range of Practices** in the United States

In a 2022 survey of more than 3,000 employers, just over half of all workers (53 percent) have flexibility during core business hours, and 33 percent have flexibility outside of core business hours.36

Part-time workers have less access to flexibility overall (39 percent), as do less skilled and low-wage workers.37 This can be extra stressful for low-wage workers, who are just as likely to have responsibilities for child care as high-wage employees, but have fewer financial resources and are less likely to have a partner or spouse who can share family work.38

### **Child Care**

American parents have serious trouble finding and affording high-quality child care.

UNAFFORDABLE CARE IS DEFINED AS MORE THAN 7% OF ANNUAL INCOME.39

lin3 families spend 20% or more of their income on child care.



Even with the high cost of care, the majority of early childhood teachers—even those with college degrees—earn unlivable wages.

THE AVERAGE WAGE FOR A CHILD CARE WORKER IN KANSAS IN 2019 WAS \$10.20/HR.40

30%

of the workers in the child care industry turn over each year. 41



The lack of affordable, high-quality child care has a direct impact on business.

A 10 PERCENT DECREASE IN AVAILABILITY OF EARLY CHILDHOOD EDUCATION REDUCES. EMPLOYMENT OF MOTHERS BY THREE TO SIX PERCENT. 42

Employers nationwide lose \$4.4 billion each year due to employee absences or loss of productivity related to child care issues.43

### Subsidized/Reimbursed Child Care or Child Care Referral

Employers who reimburse or subsidize employees' child care pay all or part of approved arrangements and/or reserve slots at particular facilities for employees' children. Through child care referral, employers offer resources to parents to help them find child care in the area.

Benefits to Employers	Benefits to Children	Benefits to Parents/Families
Increases retention, reducing turnover costs  Reduces employee tardiness and absenteeism  Increases employment of women  Increases employee loyalty	Improves overall health Improves education	Improves family economic security  Provides an option for summer care for school-aged children

### **New Tax Savings for Kansas Employers**

Information from Kansas Action for Children<sup>45</sup>

With the passage and signing of HB 2237 in mid-2022, all Kansas businesses can now apply to receive a state income tax credit for helping their employees cover child care costs or if the business helps provide child care itself. This program has existed since 1993, but the Kansas Child Day Care Assistance Tax Credit has only been available to large corporations and financial institutions for the last decade.

The changes to the tax credit took effect on July 1, 2022, and Kansas businesses can apply to deduct from their state income taxes a portion of the child care expenses they incurred – such as providing child care for employees or helping employees pay for other child care – going back to January 2021. The tax credit amounts are:

- 30% of the total amount spent by an organization to help an employee pay for child care. The credit for this qualifying expense is capped at \$30,000.
- 30% of the total amount spent by an organization to help employees locate child care. For example, contributions to a child care resource and referral agency such as Child Start, The Family Conservancy, Child Care Aware of Eastern Kansas, and Child Care Aware of Kansas. The credit for this qualifying expense is capped at \$30,000.
- 30% of the total amount spent operating a child care facility primarily used by dependents of the organization's employees, after excluding the amount of money received to provide child care services (i.e. tuition from parents). The credit for

- this qualifying expense is capped at \$30,000.
- 50% of the total amount spent establishing a child care facility primarily used by dependents of the organization's employees (i.e. employer-based or onsite child care). The credit is capped at \$45,000.
- 50% of the total amount spent establishing and operating a child care facility in conjunction with other businesses/organizations primarily used by dependents of the organization's employees. The credit is capped at \$45,000.

To claim the credit, a business must complete Schedule K-56, which is filed with the income tax return. With only \$3 million available to be claimed each year, businesses receive the credit on a first-come, first-served basis when they file their tax returns in the spring. (Note: Kansas Action for Children is not a state agency and cannot provide tax advice. Please consult a tax professional with questions about your specific situation.)

With the average cost of child care per kid — specifically infant care — in Kansas at \$680 per month in a home care environment and \$1,259 per month in a center, parents need help. This expanded tax credit to all businesses begins to level the playing field so small businesses can attract and retain employees, parents can cover the costs of child care, and children can remain in stable, nurturing environments.

### Other Actions Employers Can Take to Address the Child Care Crisis

There are some concrete things businesses can do to address child care challenges for their workers:

- Offer a flexible work schedule; allow time for family issues and let parents work when they will be most productive
- Offer a consistent, predictable work schedule. Even if there were plenty of child care slots, workers with unpredictable work schedules can't access them.
- Institute an infants-at-work policy—it's a low-cost solution.

- Provide dependent care flexible spending accounts; an FSA is an excellent way for parents to save for child care.
- Consider workplace-provided child care options, including onsite child care or child care partnerships.
- Offer paid parental leave following the birth or adoption of a child. Workers are more likely to remain in a job if they can stay home with their children in the early months of life.

### **Range of Practices in the United States**

Ten percent of workers had access to any workplace child care benefit in 2017.  $^{46}$ 

Three percent of more than 3,000 US employers surveyed by the Society of Human Resources Management offered subsidized child care in 2022.<sup>47</sup>

Low-wage workers, who often have the greatest difficulty finding and paying for high-quality child care, are less likely to receive child care benefits at work. Only two percent of workers whose wages were in the bottom 10 percent had access to any child care benefit in  $2017.^{48}$ 

Almost half of parents surveyed say it's much harder to find child care providers over the past year.<sup>49</sup>

Child care is unaffordable for seven in 10 families in the US, according to the US Department of Health and Human Services' definition of affordable care.<sup>49</sup>



### SAMPLE POLICIES

#### **Emergency or Backup Child Care**

Blue Cross and Blue Shield of North Carolina: familyforwardnc.com/sample-policy-emergency-and-back-up-child-care/

#### On Site Child Care:

Security Benefit: https://www.securitybenefit.com/careers

#### Subsidized or Reimbursed Child Care:

YWCA of Cape Fear: <a href="https://familyforwardnc.com/sample-policy-subsidized-child-care/">https://familyforwardnc.com/sample-policy-subsidized-child-care/</a>

### **Accommodations & Support**

### Support for Breastfeeding Workers

A range of benefits can result from support for breastfeeding workers. Supports include:

- writing corporate policies to support breastfeeding women;
- teaching employees about breastfeeding;
- providing designated private space for breastfeeding or expressing milk;
- allowing flexible scheduling during work;
- providing high-quality breast pumps;
- and offering professional lactation management services and support.

Other policies outlined throughout this report also help to support breastfeeding workers, including giving workers flextime and paid parental leave; and providing on-site or near-site child care.

Benefits to Employers <sup>50</sup>	Benefits to Children <sup>51</sup>	Benefits to Parents/Families
Increases retention, reducing turnover costs  Provides a three to one return on investment, largely from health care costs savings  Reduces employee absenteeism	Reduces infant mortality  Breastfeeding lowers children's risk of ear infections, respiratory infections, diarrhea, dermatitis, gastrointestinal disorders, asthma (young children), obesity, certain childhood cancers, and types I and 2 diabetes  Increases parent-child bonding  May increase IQ  Reduces doctor and hospital visits	Breastfeeding lowers mother's risk of breast and ovarian cancer, high blood pressure and type 2 diabetes <sup>52</sup> Improves family economic security <sup>53</sup>

### **Research or Recommendations** from National Organizations

The American Academy of Pediatrics, the American Association of Family Physicians and the American Congress of Obstetricians and Gynecologists recommend exclusive breastfeeding for the first six months, and breastfeeding with complementary foods through at least the first year. All three recommend that breastfeeding continue as long as mutually desired by mother and child.

Under the PUMP for Nursing Mothers Act, employers must provide workers with a private place to pump milk that is not a bathroom. Employers must also provide break time to pump. The law does not require employers to have a dedicated, permanent lactation space or provide payment for pumping breaks.



In The Business Case for Breastfeeding: Steps for Creating a Breastfeeding Friendly Worksite, the US Department of Health outlines four ways to support women who are breastfeeding while working.54

- Offer privacy to express milk. If a permanent, dedicated lactation room or a private office is not available, a small, private space can be set up for a temporary lactation room. Women who are breastfeeding must express milk approximately every three hours to maintain a healthy supply for their infant, relieve discomfort and prevent mastitis, an infection in the breast. Milk must be stored in a refrigerator or cooler. In addition, electrical outlets should be readily available. Employees should never be asked to express milk or breastfeed in a restroom.
- Provide flexible breaks. Pumping sessions usually take around 20 minutes plus time to get to and from the lactation room. Breastfeeding employees typically need no more than an hour per work day to express milk. If milk expression takes longer than expected, which can happen for a variety of reasons, many employers allow employees the flexibility to come in early or stay late, or to use a portion of their lunch period to make up time.

- Offer education and expert guidance. Providing breastfeeding employees with access to resources and a lactation consultant can help them
  - feel more prepared to breastfeed and allow them to address any issues they have while trying to initiate or continue breastfeeding.
- **Provide ongoing support.** Supportive policies that enable women to successfully breastfeed while working send a message to all employees that breastfeeding is valued. Leaders should encourage supervisors to work with breastfeeding employees in making reasonable accommodations to help them reach their breastfeeding goals. Management should encourage other employees to exhibit a positive, accepting attitude.

Approximately 34 percent of Kansas employers have a dedicated lactation room.55



### Breastfeeding Workers Face Lack of Workplace Support, Stigma, Career Worries

Lack of workplace support for breastfeeding employees leads them to face stigma about their choice, worries about career opportunities, and the pressure to stop before they're ready, leading to possible negative health consequences for both mothers and babies.

9 in 10 women in Kansas breastfeed their infants at birth
BUT ONLY 25% breastfeed exclusively for
the first six month of their baby's life WHICH IS RECOMMENDED BY MAJOR 56
MEDICAL ORGANIZATIONS

Approximately 60% of US mothers stop breastfeeding earlier than they would like.

A top reason is lack of workplace supports such as schedule flexibility or accommodations to pump and store milk, along with concerns about support from employers and colleagues.<sup>57</sup> In a 2018 survey of more than 700 expecting mothers,<sup>58</sup> 62 percent said they believe there's a stigma associated with mothers who breastfeed at work.

said they are worried that breastfeeding could affect their career growth.

Low-wage women are more likely to return to work earlier and to be engaged in jobs that make it more challenging for them to continue breastfeeding.<sup>59</sup>

More than 1 in 3 women surveyed said they've had a negative interaction with a coworker because of breastfeeding and pumping.

And nearly HALF of moms said they've considered a job or career change because of their need to pump or breastfeed at work.



### **Pregnant Worker Accommodations**

Pregnant worker accommodations are work adjustments such as more frequent breaks or light carry duty that allow pregnant women to do their jobs safely, without jeopardizing their health or the health of their babies.

Benefits to Employers	Benefits to Children	Benefits to Parents/Families
Increases productivity  Provides benefit to employee at no- or low-cost to employer  Improves recruitment  Increases retention, reducing turnover costs  Reduces employee absenteeism  Reduces health care costs  Reduces litigation costs  Increases diversity  Increases safety  Increases employee commitment and satisfaction	Improves unborn baby's health and safety, including lower risk of preterm birth, low birthweight or miscarriage	Improves mother's health and safety and lowers risk for miscarriage Improves family economic security

### Research or Recommendations from National Organizations

According to the American College of Obstetricians and Gynecologists:

- It is generally safe for a woman with an uncomplicated pregnancy to work without adverse health effects to themselves or their infant.<sup>61</sup>
- There is a slight to moderate increased risk of miscarriage for women who do extensive lifting for their jobs.<sup>62</sup>
- Accommodations may be needed for women who are exposed to toxins such as pesticides and heavy metals, or in jobs that have an increased risk of falls or injuries.<sup>63</sup>
- Women with complicated or high-risk pregnancies also may need accommodations for the health of themselves or their infant.<sup>64</sup>

Most often, women need minor accommodations during work to protect their health while pregnant, according to a national survey of more than 1,000 US women who have given birth.65

The survey, conducted by Childbirth Connection program of the National Partnership for Women and Families, found that:

- Seventy-one percent of women surveyed said they needed **more frequent breaks** during their pregnancy.
- Sixty-one percent of those surveyed said they needed a schedule modification or time off to obtain critical health care.
- A change in job duties, such as less lifting or more sitting, was needed by 53 percent of women surveyed.
- And 40 percent said they needed some other type of workplace adjustment as a result of a pregnancy-related condition.
- Pregnant women who hold part-time, lower-wage, lower-skilled or more physically demanding jobs are more likely to need some kind of minor accommodation at work. When requests for adjustments are denied, low-wage workers are more likely to be forced to choose between their job and the health of themselves or their child.

### Range of Practices in the United States

The federal Pregnancy Discrimination Act prohibits workplace discrimination on the basis of pregnancy and requires that employers treat pregnant women the same as other employees who receive accommodations for health-related reasons. For example, an employer that provides light duty to other employees cannot deny light duty to a pregnant worker.

The federal Pregnant Workers Fairness Act requires employers with 15 or more employees to provide "reasonable accommodations" to a worker's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "undue hardship."

Reasonable accommodations could include light duty, breaks, or a stool to sit on, and accommodations for breastfeeding employees.



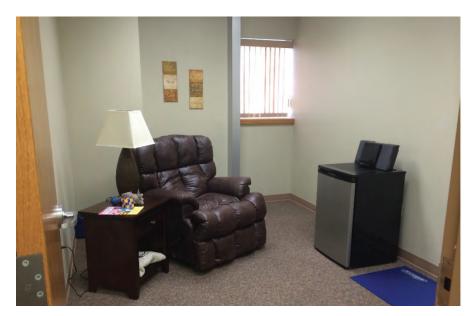
### **SAMPLE POLICIES**

#### **Support for Breastfeeding Workers**

Sample Workplace Lactation Template Policy: https://owh-wh-d9-prod.s3.amazonaws.com/ s3fs-public/\_documents/2023/bcfb\_policy-forsupporting-breastfeeding-employees.pdf

#### **Pregnant Worker Accommodations**

Model Pregnancy Accommodation Policy for Employers: https://www.pregnantatwork.org/ model-pregnancy-accommodation-policy/



Lactation room for City of Derby employees

### **CASE STUDY**

### City of Derby

The City of Derby received the Gold Level "Breastfeeding Employees Support Award" from the Kansas Breastfeeding Coalition and its Business Case for Breastfeeding program. The award is based on proven and established standards to benefit employers and employees. It recognizes businesses that provide support services to their breastfeeding employees, to include education as well as the time and space for employees to express breast milk while at work.

Jenny Turner, Director of Human Resources for the City of Derby, says,

"The City of Derby proactively works to be an employer of choice and recognizes that supporting breastfeeding mothers is not only required by law but also instrumental in helping breastfeeding mothers balance their work/life demands. Since 2014, we've had a procedure in place that provides supervisors and employees information on the support we provide to breastfeeding mothers. We designated space for breastfeeding mothers to ensure a supportive environment and provided flexibility in work schedules for all our employees, including those who are breastfeeding. We currently have private rooms set up at City Hall and at our Police and Courts building for breastfeeding mothers. Each room is equipped with a comfortable chair, side table, and mini-refrigerator. We've received positive feedback from our breastfeeding mothers who often return to work more quickly due to the flexibility and support they receive."



### For Employers

Are you interested in expanding your family friendly benefits but unsure of how to get started? Below are practical steps you can take.

#### Know the law.

The first step is to understand federal and state laws that apply to pregnant workers or workers with caregiving responsibilities. See page 35 for a brief overview and links to more resources. Consult with your legal advisors to ensure compliance with federal and state obligations.

### Assess your current benefits and consider best practices.

Check your current policies to make sure they are relevant and competitive

Consider the research outlined throughout this guide on practices that offer the best business and health outcomes and determine whether your current benefits meet those guidelines.

Research "best in class" lists such as the *Working Mother* magazine "100 Best Companies" or the *Wichita Business Journal's* "Best Places to Work Awards" to see what benefits those workplaces offer

### Determine who your employees are and what they want.

Family friendly workplace policies are not "one size fits all." Take stock of your employees' needs and tailor your policies to fit what works best for you and them.

- Consider employee demographics—both for current employees and employees you want to hire.
- Conduct an in-house survey of employees to determine which benefits they would most value. Make the survey anonymous to respect employees who may be pregnant or considering pregnancy and don't yet want to tell their manager. For a sample of an employee survey developed by Family Forward NC, see page 36.
- Sign up to participate in the "Kids are Good Business Survey." This survey for employees is a
  quick, easy, and free self-assessment that addresses eight family friendly policy and practice
  areas with research-proven benefits. To learn more or to get started with implementing the
  survey contact kagb@kcsl.org.
- Create a committee or review panel of employees and ask them for feedback on potential policy changes.

### Consult online and organizational resources for help.

The following online and organizational resources offer help for determining what benefits to offer and how to implement them:

- Membership associations such as the Society for Human Resource Management (<a href="www.shrm.org">www.shrm.org</a>) and Catapult Employers Association (<a href="https://letscatapult.org">https://letscatapult.org</a>) offer a variety of articles and resources, including articles and sample policies that can help craft a family friendly workplace strategy. Both have membership fees. The Society for Human Resource Management (SHRM) has a Kansas chapter (<a href="https://ksshrm.org">https://ksshrm.org</a>)
- The Kansas Breastfeeding Coalition created a resource and an award program for breastfeeding-supportive workplaces (https://kansasbusinesscase.com)
- Pregnant at Work (<a href="https://www.pregnantatwork.org/employers">https://www.pregnantatwork.org/employers</a>) was created by the Center for WorkLife Law at the University of California Hastings College of Law. The website includes free webinars for employers, model policies, and accommodation ideas for common pregnancy complications.
- The Job Accommodation Network (<a href="https://askjan.org/disabilities/Pregnancy.cfm?cssearch=1928761\_1">https://askjan.org/disabilities/Pregnancy.cfm?cssearch=1928761\_1</a>) provides information on pregnancy accommodations.

### Consider all costs, including the cost of doing nothing.

For many family friendly policies, particularly paid leave, cost is cited as the top concern for employers. When factoring costs, consider:

- Some policies, such as accommodations for pregnant workers or babies at work, have no or very little associated costs.
- For policies such as paid parental leave, the benefits have been shown to outweigh the costs for businesses of all sizes.
  - A 2017 Boston Consulting Group study of 250 employers with paid leave policies found that paid parental leave helped or had no effect on the bottom line. Companies studied reported a positive return on investment, particularly related to other benefits they could provide.66
  - A 2016 Ernst and Young survey of more than 1,500 employers with paid leave benefits, including parental and family medical leave, showed that employers of all sizes saw positive business outcomes as a result:67
    - 82 percent reported better employee morale;
    - 71 percent reported lower employee turnover;
    - 63 percent reported increased profitability (including nearly half of employers with 100 employees or fewer);
    - 71 percent reported improved productivity.
  - Fifty percent of US fathers and 75 percent of US mothers have turned down work opportunities, changed jobs or quit altogether to care for their children.68
  - The cost of replacing an employee who leaves is approximately 33 percent of an employee's salary, or \$15,000 for a worker who makes \$45,000, according to The Work Institute's 2018 Retention Report.69

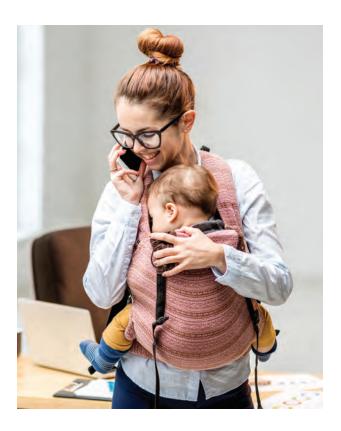
Below are two different cost calculators from Intuit that can help employers estimate the costs of providing new benefits.

- 1. This calculator shows how much an employee currently costs an employer beyond wages, including taxes and current benefits offered. https://quickbooks.intuit.com/r/ employee-cost-calculator/
- 2. This calculator gives an employer a true cost for an employee and provides an overview of labor costs, payroll taxes and overhead. https://www.tsheets.com/resources/ determine-the-true-cost-of-an-employee/

### Make sure employees understand what your policies are and how to use them.

Many times, employees are not fully aware of all the family friendly policies that they have access to. Help educate employees by:

- Offering thorough and frequent tutorials or sessions that inform employees about ways to facilitate work-life balance.
- Creating HR manuals that are free of jargon. Spell out policies in layman's terms to encourage increased knowledge and use of current family friendly policies.
- Writing down policies that aren't currently written. Doing so will clear up confusion and it will help with any employee misconceptions that policies aren't available or are subject to change based on individual manager preferences.
- Providing educational resources to help employees determine how benefits can help them financially.



### Create a family friendly workplace culture.

Having family friendly policies in place only goes so far if your workplace culture does not encourage employees to use those policies. To create a family friendly workplace culture:

- Make sure leaders understand the value of family friendly policies and communicating your commitment to being family friendly to employees at all levels.
- Set clear expectations for managers and ensure that leaders throughout your organization:
  - Understand how family friendly policies fit into your organizational mission.
  - Offer support and respect for employees who take advantage of workplace policies. If a new father asks to take paternity leave, his manager should support that decision without giving the employee a tough time about being out of the office. If an employee works a flexible schedule and does not come into work until 9 am, a manager should not routinely set meetings at 8 am and expect the employee to attend.
  - Model behavior by taking advantage of family friendly policies when they need them.
- Celebrate your family friendly policies both internally and externally. Consider applying for the "Breastfeeding Employee Support Award" from the Kansas Breastfeeding Coalition and join the list of over 360 award-winning businesses in Kansas. Details at https://kansasbusinesscase. com/for\_employers/employer\_awards.

### For Employees

Are you an employee who wants to start a conversation with your employer about becoming more family friendly? Below are steps for how to get started.

### Know your rights.

A first step is to understand federal and state laws that apply to pregnant workers or workers with caregiving responsibilities. See below for an overview or visit the following websites to learn more. For legal questions specific to your circumstances, consult legal counsel and/or your HR representative.

- For pregnant workers: https://www.eeoc.gov/eeoc/publications/pregnant\_workers.cfm or https://www.pregnantatwork.org/pregnant-women
- For workers who are breastfeeding: https://ksbreastfeeding.org/cause/ business-case-for-breastfeeding/
- For workers who need time to care for themselves or a child or family member: https://www. dol.gov/whd/fmla/emploveeguide.htm

### Make sure you understand your current benefits.

Review your current benefits with your HR representative or manager to make sure you understand everything your employer currently offers and how the details of each policy affect you. Some paid parental leave policies, for example, require employees to use vacation or sick time for a pre-determined period before the parental leave benefit kicks in.

- Ask for help to clarify policies that are unclear.
- Determine when you are eligible for policies. For instance, many employers require one year of employment before you are eligible for paid parental leave.
- Explore the financial benefits your employer offers, such as a Flexible Spending Account, which allows you to save money pre-taxes to spend on health care and other costs.

### Talk with your manager or HR representative.

Approach a HR representative, manager or a company leader that you think would be supportive. Have a conversation with them about the policy changes you think could benefit both employees and your employer.

### Build a business case of support.

If you want to encourage change or new policies within your own workplace, come prepared with data and support for why the policies you suggest will benefit your employer as well as you and your co-workers.

### **Employer Resources**

### Sample Employee Survey

Editor's Note: This survey is meant as a starting point and can be customized as needed.

We recognize the value of our employees and want to ensure that we offer the best workplace we can. To be most effective, we want to hear from you about which benefits work well for you and your family and where there may be gaps that our company should understand and seek to address. We want to ensure the best fit for the people who work here! Please take a few minutes to answer the survey.

I. Wh	nat is your job title?
2. WI	hat is your age?
3. If y	you have children, please share their ages:
4. Do	you consider our workplace "family friendly?"
	ease tell us why you think that. How can we provide a workplace that promotes ork-family balance?
6. WI	hat are three things that our company does for employees that you love?
7. Ho	ow satisfied are you with the current benefits offered?
	Very Dissatisfied
	Dissatisfied
	Somewhat Satisfied
	Satisfied
	Very Satisfied

<b>app</b> safe	apply. Note: Employers should list all benefits offered. Examples are parental leave, sick and safe leave, dependent care spending account, telecommuting, job sharing, lactation room, on-site gym, backup or emergency child care.			
	<ol><li>Of the benefits you checked in Question 8, please rank them in priority to you and your family, with 1 being the most important.</li></ol>			
	10. Are there benefits not listed in Question 8 that you would use if offered?  Yes No			
If y	ves, please explain:			
11. Is ti	here anything else that you would like to share?			
12. Wł	nich best describes your race?			
	Black			
	White			
	Hispanic (non-White)			
	Asian			
	Native American or Other Pacific Islander			
	American Indian/Alaskan Native			
	Native Hawaiian			
13. Wh	at is your highest level of education?			
	Less than high school			
	High school or equivalent			
	Some college			
	College			
	Graduate degree			
14. Wł	nat is your marital status?			
	Married			
	Single			
	Divorced			
	Other			

### **Current Policy Assessment Worksheet**

Editor's Note: Federal and state regulations apply to several of the benefits listed. An overview of requirements is included on page 39 Understanding the Requirements of Federal and State Law. Employers should seek legal counsel to understand their obligations. The information provided here is for informational purposes only and does not constitute legal advice.

Family friendly benefit	Current benefits offered (describe details of the benefit offered)	Are there federal and/or state laws and regulations?	Benefit cost per employee	Number of employees expressing interest in the benefit (use survey results)	Next steps
Maternity Leave		Yes			
Paternity Leave		Yes			
Family and Medical Leave		Yes			
Flextime					
Support for Breastfeeding Workers		Yes			
Pregnant Worker Accommodations		Yes			
Subsidized/ Reimbursed Child Care		Yes			

## **Understanding the Requirements** of Federal and State Law

When it comes to family friendly benefits, employers and employees should understand the policies and worker protections that are required by state and federal law. Outlined below is a quick overview. Employers should consult legal counsel to determine their federal and state obligations. Information provided within does not constitute legal advice.

#### Leave

#### **FEDERAL**

Family Medical Leave Act

Employers are most likely familiar with the Family Medical Leave Act (FMLA), which requires private-sector employers with 50 or more employees, public sector employers, and public or private elementary and secondary schools to provide 12 weeks of unpaid leave in a 12-month period for one or more of the following reasons.

- The birth of a child or placement of a child with the employee for adoption or foster care;
- To care for a spouse, child, or parent who has a serious health condition;
- For a serious health condition that makes the employee unable to perform the essential job functions:
- Or for qualifying emergencies arising out of the fact that a spouse, child, or parent is a military member on covered active duty or called to covered active duty status.

Employees may be able to take 26 weeks of unpaid leave during a 12-month period to care for a covered service member with a serious injury or illness when the employee is the service member's spouse, child, parent, or next of kin.

To receive FMLA, employees must have worked for an employer for at least 12 months and for at least 1,250 hours of service during the 12-month period immediately preceding the leave. For more on FMLA, visit <a href="https://www.dol.gov/agencies/whd/fmla">https://www.dol.gov/agencies/whd/fmla</a>

FMLA is unpaid leave; there are no federal laws requiring paid leave following a birth or adoption. Similarly, there are no federal laws requiring paid medical leave (for an employee or a child) or parental leave.

Covered employers are required to notify workers about the FMLA, including displaying an FMLA poster, as detailed here: <a href="https://www.dol.gov/agencies/whd/">https://www.dol.gov/agencies/whd/</a> posters/fmla.

Since October 2020, under the Federal Employee Paid Leave Act, certain categories of federal civilian employees have access to 12 weeks of paid parental leave for birth, adoption or foster care. <a href="https://www.commerce.gov/hr/">https://www.commerce.gov/hr/</a> paid-parental-leave-federal-employees

#### **STATE**

Five states currently offer paid caregiver leave policies, which covers workers following a birth or adoption, and 11 states plus Washington, D.C. offer paid sick leave policies.

#### Flexible Work

Currently there are no federal or state policies that address flexible work.

#### **Accommodations**

#### **FEDERAL**

PUMP for Nursing Mothers Act (PUMP Act)
Under the PUMP Act, employers must provide
reasonable break time for an employee to express
breast milk for their nursing child for one year after
the child's birth, but employers are not required to
pay an employee during that break time. Employers
must also provide a place, other than a bathroom,
for the employee to express breast milk. If these
requirements impose undue hardship, employers
with fewer than 50 employees may be exempt.
For more, see: <a href="https://www.dol.gov/agencies/whd/pump-at-work">https://www.dol.gov/agencies/whd/pump-at-work</a>.

Pregnant Workers Fairness Act (PWFA)
Under the PWFA, employers with 15 or
more employees must provide "reasonable
accommodations" to a worker's known limitations
related to pregnancy, childbirth, or related medical
conditions, unless the accommodation will cause the
employer an "undue hardship." For more information,
see: <a href="https://www.eeoc.gov/wysk/what-you-should-know-about-pregnant-workers-fairness-act.">https://www.eeoc.gov/wysk/what-you-should-know-about-pregnant-workers-fairness-act.</a>

#### **Child Care**

Though both federal and state requirements exist for licensing and maintaining child care facilities, neither federal nor state law addresses whether employers are required to provide child care of any kind.

### **Recent Changes to Workers' Rights**

Issue	PUMP Act	Pregnant Workers Fairness Act
Break time	Breaks must be provided as often as needed. Hourly workers' lactation breaks may be unpaid unless they are using paid break time or if they choose to work while pumping.	Reasonable break time, as needed.
Lactation Space	Not a bathroom, free from intrusion and shielded from view	Reasonable space to meet employee's needs.
How long?	One year following birth	As long as needed—no age limit
Workers Covered	All workers except airline flight crew members. Certain railway & motorcoach employee's coverage starts 12/29/2025	All workers
Employers Covered	All employers Those with fewer than 50 employees may be exempt in rare cases if they can prove "undue hardship."	Employers with 15 or more employees
Enforcement	<ul><li>U.S. Dept. of Labor, Wage &amp; Hour Division, (913) 551-5721</li><li>Courts</li></ul>	Equal Employment Opportunity Commission, (913) 340-8810 or (800) 669-4000

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