

September 29, 2021

The Honorable Nancy Pelosi
Speaker of the House of Representatives
United States Capitol
Washington, DC 20515

The Honorable Kevin McCarthy
House Republican Leader
United States Capitol
Washington, DC 20515

Dear Speaker Pelosi and Leader McCarthy:

HR Policy Association supports legislative proposals that aim to update and modernize workplace statutes to meet the evolving workforce needs. As such, we write in support of H.R. 3110, the Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act, as reported from the Education and Labor Committee.

HR Policy Association represents the most senior human resource executives of more than 380 of the largest companies in the United States. Collectively, these companies employ more than 10 million employees in the United States, nearly nine percent of the private sector workforce, and 20 million employees worldwide.

H.R. 3110 would strengthen the Break Time for Nursing Mothers Act, which became law in 2010 by expanding coverage to those workers currently exempt, clarifying employers' obligations under the law, and ensuring nursing mothers have access to appropriate remedies.

The bill as passed by the Education and Labor Committee and the manager's amendment would improve upon the introduced version of H.R. 3110 in the following ways:

- Employers are currently required to provide breaks for employees to express breast milk for one year after a child's birth. The bill would extend that to two years after birth.
- Employers would be allowed 10 days to make additional accommodations and improve space allocated for nursing mothers before employees proceed with filing a claim for noncompliance with the measure's requirements.
- The Department of Labor would be required to issue guidance on employer compliance within 60 days of enactment that is consistent with the existing information from the Office on Women's Health of the Department of Health and Human Services' website.
- Employers with fewer than 50 workers could seek a hardship exemption.
- It clarifies that if an employee is not completely relieved of their duties during a break, that time is considered hours worked for the purposes of minimum wage and overtime requirements.

In addition to supporting workforce needs there is a strong business case for providing break time and space for nursing employees. Supporting the health of mothers and infants through breastfeeding may translate into less absenteeism from employees needing to take sick leave to care for themselves or their infants as well as lower health care or insurance costs. Employers may also see less turnover from workers who are able to maintain breastfeeding and employment, allowing employers to save money on turnover costs and retain talent.

Looking ahead, as the bill makes its way through the legislative process, we encourage lawmakers to make additional improvements to include a reasonable exemption for the airline industry. The limited space on airplanes would make compliance with this legislation challenging and, in some cases, impossible.

Ultimately, H.R. 3110 is a win-win for nursing mothers and the companies that employ them. HR Policy Association appreciates your consideration of this timely and important issue, and we look forward to supporting this proposal as it moves through Congress.

Sincerely,

Chatrane Birbal

Chatrane Birbal
Vice President, Government Relations
HR Policy Association

cc: U.S. House of Representatives