

Support HB 2541 - Protect Farmworker Moms' Right to Pump at Work

House Bill [2541](#) seeks to extend workplace protections to certain agricultural workers, ensuring they have the right to express breast milk during work hours.

Why HB 2541:

Currently, some farmworker women are not covered by the current workplace expression of milk protections. Specifically, women who meet all the following criteria are excluded (ORS 653.020(1)(C)):

- They are employed as hand harvesters or pruning laborers and are paid on a piece-rate basis.
- They commute daily from a permanent residence to the farm.
- They have been employed in agricultural labor for less than 13 weeks (about 3 months) in the preceding calendar period.

These mothers don't work full-time year-round, but during the harvest season, typically starting in May, they seek additional income to support their families. Like all workers, these mothers should be protected by our current milk expression workplace law. HB 2541 seeks to include individuals employed in agriculture as described in ORS 653.020 (1)(c).

Background & Need:

Breastfeeding is vital for both mother and baby health, with organizations like the American Academy of Pediatrics (AAP) recommending exclusive breastfeeding for six months and continued breastfeeding for at least a year. Notably, about 84% of new mothers begin breastfeeding immediately after giving birth.¹ The benefits of breastfeeding are life-changing for both the baby and the mother. Breastfed babies are healthier and have lower long-term healthcare costs. For example, the risk of hospitalization for lower respiratory tract infections is reduced by 72% for babies breastfed for more than four months. Additionally, breastfed babies have a 36% reduced risk of Sudden Infant Death Syndrome (SIDS) and infant mortality.² There are also short- and long-term health benefits for mothers who breastfeed, such as decreased postpartum blood loss.

In Oregon, among children born in 2021, about 60% were exclusively breastfed through three months, but this number drops to 32% through six months.³ Mothers often face the difficult

¹<https://www.usbreastfeeding.org/usbc-news--blogs/comparing-new-cdc-breastfeeding-rates-to-healthy-people-2030-breastfeeding-targets>

² <https://publications.aap.org/pediatrics/article/129/3/e827/31785/Breastfeeding-and-the-Use-of-Human-Milk?autologincheck=redirected>

³ <https://www.cdc.gov/breastfeeding-data/modules/2021-rates-any-exclusive-bf-state.htm>

decision to return to work shortly after giving birth, often for economic reasons. While some mothers may be able to fully utilize workplace leave, including Paid Family and Medical leave, farmworker women—who work in highly seasonal jobs—are more likely to face limited options and may need to return to work sooner. Providing adequate workplace accommodations for lactating mothers can help extend breastfeeding, ensuring better health outcomes for both mother and child.

Current Law (ORS 653.077):

Current law provides protections for milk expression. Employers must:

- Provide reasonable unpaid rest periods for employees to express milk whenever needed. Employees are encouraged to align these breaks with existing meal or rest periods.
- Compensate employees for time spent expressing milk during paid breaks. Any additional time beyond paid breaks can be unpaid, with options to make up the time.
- Make reasonable efforts to provide a private location—other than a public restroom or toilet stall—near the employee’s work area for milk expression.
- These provisions apply to employees expressing milk for children 18 months of age or younger.
- Employer Size Exception: Employers with 10 or fewer employees are exempt if providing rest periods imposes an undue hardship on their business operations.

HB 2541 is a simple but important step toward making sure farmworker moms can pump at work, giving them the support they need to keep breastfeeding and take care of their health. By closing the gap in current protections, this bill can make a real difference in the lives of farmworker women and their families.

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