

Breastfeeding in Public

Date:	May 17, 2007
To:	Board of Health
From:	Medical Officer of Health
Wards:	All
Reference Number:	

SUMMARY

This report recommends Board of Health and City Council approval and implementation of a policy supporting breastfeeding in all public places controlled by the City and its Agencies, Boards and Commissions (ABCs).

RECOMMENDATIONS

The Medical Officer of Health recommends that:

1. The Board of Health recommend that City Council approve the attached policy “Breastfeeding in Public”, and direct the City Manager to inform all City divisions and ABCs of the policy.

Financial Impact

There are no financial implications stemming directly from this report.

DECISION HISTORY

At the January 2007 meeting, the Board of Health requested the Medical Officer of Health to develop a policy that allows and encourages breastfeeding mothers to breastfeed in public places controlled by the City, including all ABCs.

ISSUE BACKGROUND

Breastfeeding is the best way to provide food and immunologic protection for the health, growth and development of infants and children. Toronto Public Health supports the World Health Organization (WHO) and Health Canada in recommending exclusive breastfeeding to six months followed by the introduction of appropriate complementary

foods and continued breastfeeding to two years and beyond. Longer duration of breastfeeding improves the health of infants and children.

Toronto Public Health offers a wide variety of programs and services that promote and support exclusive and sustained breastfeeding, which include supporting breastfeeding mothers to breastfeed their children anywhere and anytime. There is wide variation in public attitudes related to breastfeeding in public. Breastfeeding mothers in Toronto continue to be asked to remove themselves, cover up or breastfeed more discreetly. In order for children to receive the full benefits of breastmilk, breastfeeding mothers need to be fully supported to breastfeed whenever and wherever they choose.

COMMENTS

The existing City of Toronto policy, “Breastfeeding on City Premises” (2001) (see Attachment 1) supports employees who wish to breastfeed upon returning to work, and by extension members of the public who wish to breastfeed on City premises. However, infant health would benefit from a broader policy that supports mothers who reside, visit or work in the City of Toronto, to breastfeed anytime and anywhere in public places controlled by the City, including ABCs. The attached policy, “Breastfeeding in Public” (see Attachment 2), is intended to support breastfeeding mothers who decide to breastfeed their child in public places controlled by the municipality, including ABCs. This policy is consistent with current policies adopted by the Ontario Human Rights Commission and will contribute to the achievement of Toronto Public Health’s Baby Friendly Initiative (BFI). TPH consulted the City Manager’s office, Legal Services, Human Rights Office and Parks, Forestry and Recreation division in the development of the proposed policy.

Ontario Human Rights Commission Support for Breastfeeding

A mother’s decision to breastfeed her child in public is supported by the Ontario Human Rights Commission through policies that support women who are pregnant or breastfeeding. In the “Policy on Discrimination because of Pregnancy and Breastfeeding” the Commission states that: “Women should not be disadvantaged in services, accommodation or employment because they have chosen to breastfeed their children....Women should have the choice to feed their baby in the way they feel is most dignified, comfortable and healthy.”

Another document published by the Commission entitled “Pregnancy and Breastfeeding: Your Rights and Responsibilities”, advises women that: “You have the right to breastfeed a child in a public area. No one should prevent you from nursing your child simply because you are in a public area. They should not ask you to ‘cover up’, disturb you or ask you to move to another area that is more ‘discreet’.”

In accordance with the Commission’s policy and in consideration of the City’s Human Rights Policy, it is important that the City of Toronto publicly support breastfeeding women to breastfeed anytime and anywhere, including all public places controlled by

both the municipality and ABCs. The adoption and implementation of the “Breastfeeding in Public” policy demonstrates that support.

Informing the Public

Toronto Public Health will post the “Breastfeeding in Public” policy statement on the City Internet site. This statement will inform the public about the policy and will describe how the City will support breastfeeding mothers who decide to breastfeed their child in public areas controlled by the City and its ABCs. Toronto Public Health will continue to provide information regarding support for breastfeeding in public to city staff and members of the public.

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SIGNATURE

Dr. David McKeown
Medical Officer of Health

ATTACHMENTS

Attachment 1: Breastfeeding on City Premises (2001)
Attachment 2: Breastfeeding in Public



Breastfeeding on City Premises	
Category: Working Environment	

Policy Statement The city promotes women's right to breastfeed on city premises and supports employees who wish to breastfeed upon returning to work.

Application All employees of the City of Toronto

All city management will support employees who wish to continue breastfeeding upon their return to work by accommodating an employee's request to do so. An accommodation must respect the dignity of the individual and be provided in accordance with the Ontario Human Rights Code.

This accommodation may include:

Conditions

- **Flexible Hours**

Managers will work with breastfeeding employees to accommodate suitable work hours, lunch hours and breaks so that an employee can express breast milk or breastfeed the baby at the work site or a nearby location. In consultation with management the employee will be responsible for making up any additional time required for breastfeeding or expressing milk.

- **City Premises - Space and Facilities**

A reasonable effort must be made to secure a designated private space appropriate for breastfeeding or expressing breast milk for employees who request it. The designated space may be multi-purpose, provided that alternative space is readily available if that space is in use.

Public Health will promote breast-feeding programs and provide information to managers and employees. Human Rights staff can provide advice regarding accommodation issues.

Employees Responsibilities

Employees must make a formal request to management, identifying their needs, approximately four weeks prior to their return to the workplace.

Employees are responsible for making up time if necessary and arranging this with their supervisors/managers.

Implementation

Management Responsibilities:

Upon receipt of a formal request managers shall:

- Respond in a timely manner to the employee
- Examine the workplace to accommodate the request
- Consult with Human Rights staff to discuss alternatives or other solutions, if they experience difficulty securing appropriate space or accommodating the request.

Complaints

Complaints should be directed to the Human Rights Office.

Approved by Workforce Strategy Team

Date Approved August 21, 2001

Related Information City of Toronto, Human Rights Policy and Procedure
Public Health, Breastfeeding Policy Paper

Ontario Human Rights Commission, Pregnancy - Before, During and After: Know Your Rights

Attachment 2
Breastfeeding in Public
April 30, 2007

TITLE: Breastfeeding in Public

POLICY STATEMENT:

The city allows and supports breastfeeding mothers to breastfeed in all public places controlled by City Agencies, Boards, Commissions and Divisions.

APPLICATION:

All employees of the City of Toronto and members of the public

BACKGROUND:

The City of Toronto recognizes the important health benefits of breastfeeding for both the mother and her child. The City aims to create an environment that allows and supports women to breastfeed exclusively for six months and to continue breastfeeding with the addition of appropriate complementary foods for up to two years of age and beyond. (WHO, 2001). By supporting breastfeeding mothers in this manner, the City will strengthen the development of a breastfeeding culture throughout the City.

In a policy document titled “Pregnancy and Breastfeeding: Your Rights and Responsibilities” the Ontario Human Rights Commission states that “women are legally protected from discrimination and harassment because of sex. This includes pregnancy and breastfeeding. For children breastfeeding provides the highest attainable standard of health. A breastfeeding mother should not be prevented from breastfeeding her child because she is in a public area. She should not be disturbed, asked to cover up, or asked to move to another area.”

CONDITIONS:

City of Toronto staff will allow and support breastfeeding mothers to breastfeed in any public place controlled by the City (including ABCs).

Incidents of harassment that happen in City facilities (excluding ABCs) or with City staff (excluding ABCs) can be reported to the City’s Human Rights Office as well as the Ontario Human Rights Commission. Harassment in other public areas can be reported to the Ontario Human Rights Commission.

IMPLEMENTATION:

Toronto Public Health promotes breastfeeding and will provide information regarding support for breastfeeding in public to city staff and members of the public.
The policy statement will be posted on the City Internet site

Employee Responsibilities:

Employees must demonstrate respect toward mothers breastfeeding in public.

Employees must allow and support breastfeeding mothers to breastfeed in public. Employees will not disturb a breastfeeding mother, will not ask her to cover up and will not ask her to move to another area. A reasonable effort will be made to find a private space for a breastfeeding mother if she requests it.

Management Responsibilities:

Managers will ensure that their staff are aware of this policy. Managers will support their staff in allowing and supporting mothers to breastfeed in public places controlled by the City and its ABCs. Managers will support breastfeeding mothers if difficulties arise in the provision of a public place to breastfeed their child free from harassment.

APPROVED BY: City Council

DATE APPROVED:

RELATED INFORMATION;

City of Toronto, Human Rights Policy and Procedure
City of Toronto, Breastfeeding on City Premises: Working Environment
Ontario Human Rights Commission, Pregnancy & Breastfeeding: Your Rights & Responsibilities
Ontario Human Rights Commission, Policy on Discrimination because of Pregnancy and Breastfeeding, 2001; <http://www.ohrc.on.ca>
World Health Organization/ UNICEF, Global Strategy for Infant and Young Child Feeding