



# BREASTFEEDING

## KNOW YOUR RIGHTS

### Key points

Discrimination because of breastfeeding is against the law.

You are allowed to breastfeed in public places, such as shopping centres, restaurants, hotels, and public transport.

If you are being discriminated against because you are breastfeeding, speak up. Say that breastfeeding discrimination is against the law.

If you are returning to work, discuss what arrangements your manager can make so that you can combine work and breastfeeding.

### Breastfeeding discrimination

It is against the law if you are discriminated against because you breastfeed. Breastfeeding discrimination is against the law when you are:

- a customer (such as at a café, hotel, club, restaurant, or sporting venue)
- a worker, or applying for work
- a student
- accessing government or other services.

### Breastfeeding in public

You are allowed to breastfeed in public places, such as shopping centres, restaurants, gyms, hotels, sporting venues and public transport.

It may be discrimination if staff or management tells you 'You can't do that here' or asks you to leave because you are breastfeeding.

### Breastfeeding and work

If you are returning to work, discuss what arrangements your manager can make so that you can combine work and breastfeeding. You should not be pressured into resigning your job because you are breastfeeding, or giving up breastfeeding in order to return to work.

You may need:

- breaks so that you can express milk, or feed your baby, and
- a place where you can express or feed comfortably.

### Tips for breastfeeding breaks

- Time your breaks for when you need them.
- Minimise any potential for disruption to the work of the business.
- Discuss what your employer can provide for you to successfully express or breastfeed at work. (This could include things like a private space, access to a power point for a breast pump, a comfortable chair.)

### Employer responsibilities

The arrangements your employer can make for you to express or breastfeed at work will depend on:

- your job (for example: office worker, tradesperson, retail, health worker, labourer, professional, factory worker, driver, hairdresser) and
- your workplace (for example: an office, retail outlet, business, school, factory, construction site, or rural property).



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Many jobs can include some flexibility without affecting work output. If your employer is unreasonable about making arrangements to allow you to combine work and breastfeeding, this may be discrimination.

## Attitudes of other workers

Other workers may feel that you are getting lots of 'time off' when you have breaks to breastfeed or express, and that they have to 'pick up the slack'. It is your manager's job to communicate the policy regarding lactation breaks (or any other breaks) to all workers, and to ensure the workload is evenly distributed.

If other workers make cruel or hurtful comments to you about expressing or breastfeeding at work, you can complain to your manager. Employers are liable for the behaviour of their workers and these comments are discriminatory.

## FAQS

### Can I bring my baby to work?

Depending on your workplace and the type of work you do, your employer may agree to this arrangement, or you may have someone bring your baby in for feeds as required. However, this may not be possible at all workplaces. For example, work operating dangerous machinery which cannot be left unattended.

**Contact the ADCQ to find out what you can do, including making a complaint.**



**1300 130 670**



**[www.adcq.qld.gov.au](http://www.adcq.qld.gov.au)**



**Breastfeeding Helpline**  
**1800 mum 2 mum**  
**1800 686 268**



### Can I do anything if someone abuses me about breastfeeding in public?

If it is a member of the public:

- You can tell them that you are allowed to breastfeed in public places
- You, or someone with you, can complain to management (if you are in a place such as a shop or a restaurant).

### Does my employer have to provide a breastfeeding room?

Many workplaces will not have a dedicated room for breastfeeding or expressing milk. However, your employer should provide suitable facilities for you when reasonably possible.

### Does my employer have to allow breastfeeding breaks?

The nature of your work will determine whether it is reasonable to allow breastfeeding breaks. Many jobs allow for some flexibility and unpaid breaks can be accommodated. However, this may not be possible in some jobs.

### If you are discriminated against

If you are discriminated against because you are breastfeeding, you can:

- Speak up; say that breastfeeding discrimination is against the law.
- Complain to management if you are in a place such as a shop or café.
- Tell your manager, if you are being discriminated against at work.



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