

# Congress of the United States

Washington, DC 20510

September 4, 2015

The Honorable Thomas E. Perez  
Secretary  
Department of Labor  
200 Constitution Avenue Northwest  
Washington, DC 20210

Dear Secretary Perez:

We commend the Department of Labor for using its authority under the Fair Labor Standards Act to propose a new rule that would extend overtime protections to 4.8 million workers, and in doing so, also extend protection of the Reasonable Break Time for Nursing Mothers provision to over 1 million women. In developing the final rule, we encourage the Department of Labor to explicitly outline this significant additional benefit so that employers and working women are aware of their new rights and responsibilities under the law.

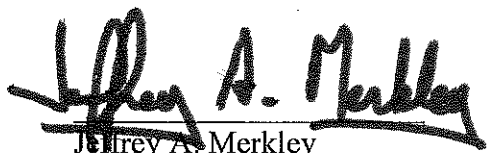
The Reasonable Break Time for Nursing Mothers provision requires employers to provide adequate break time and a private space other than a bathroom for employees to express milk at work. While we are pleased that this important requirement is now law, we also note that only women considered non-exempt employees under the Fair Labor Standards Act are entitled to these breaks. For this reason, we introduced the Support Working Moms Act which would expand protection under the Reasonable Break Time for Nursing Mothers to exempt employees.

The good news is that the proposed overtime rule will also bring more than 1 million women into coverage under the current breastfeeding protection statute. Expanding overtime and breastfeeding protections to more working women furthers the goal of ensuring that all employees receive fair pay and sensible accommodations to raise and financially support their family.

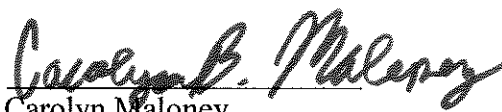
Just as extending overtime and breastfeeding protections to more workers will help ensure the success of women and families, it is also vital to ensuring the wellbeing of American businesses. According to a report published by the Department of Health and Human Services, employers that provide support for breastfeeding mothers experience lower healthcare costs, lower rates of employee absenteeism, and higher employee retention rates.

Thank you for your continued efforts to help working families thrive and succeed. We urge you to move forward to a final rule that maintains the strongest possible protections for women and families.

Sincerely,

Handwritten signature of Jeffrey A. Merkley in black ink, written over a horizontal line.

Jeffrey A. Merkley  
United States Senator

Handwritten signature of Carolyn B. Maloney in black ink, written over a horizontal line.

Carolyn Maloney  
Member of Congress