

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: March 24, 2010
POSITION: Neutral, note concerns

BILL NUMBER: AB 2468
AUTHOR: K. De Leon
RELATED BILLS: AB 513 (De Leon), AB 514 (De Leon)

BILL SUMMARY: Lactation Accommodation: Workplace Designation

This bill would allow a business to use the designation "Breast-Feeding Mother Friendly Worksite" in its promotional materials if the Labor Commissioner determines the employer breast-feeding policy meets specified criteria and requires the Labor Commissioner to post a listing of businesses with this designation on its website.

FISCAL SUMMARY

The costs of this bill are indeterminable as the workload associated with reviewing submitted employer breast-feeding policies and maintaining a listing of the designated businesses on the Labor Commissioner's web site is unknown. The policy review is limited assuring the breast feeding policy, at a minimum, addresses four specified criteria related to scheduling, breaks, space, sanitation and refrigeration. The Department of Industrial Relations (DIR) estimates an additional position would be needed; however, any request from DIR for additional positions would be considered as a part of the regular budget development process.

There may be indirect fiscal benefits based on other states' experiences with similar laws such as reduced absenteeism, reduced turnover, and improved productivity.

COMMENTS

The Department of Finance's concerns are limited to the potential workload cost. The workload and subsequent need for additional staff will be determined by the level of response by employers to this opportunity and the resulting applications for designation.

Two other bills address issues of breast-feeding mothers. AB 513, De Leon, would have required health plans and health insurers that provide maternity benefits to cover costs associated with lactation consultations with certified lactation consultants and the provision of breast pumps. This bill was vetoed due to the costs to employers and the enrollees, as well as for taking a "piece meal" approach to revising health care benefits.

The second bill, AB 514 would have required employers to provide paid rest periods for lactation purposes in addition to currently required employee work breaks. This bill was not passed out of the Assembly Appropriations Committee likely because the costs to enforce the provisions were estimated to be approximately \$150,000 annually and the costs to the state to comply with the provisions were estimated to range from \$500,000 to \$1 million annually. Finance has no approved position on AB 514.

Analyst/Principal Date Assistant Program Budget Manager Date
(0250)

Department Deputy Director Date

Governor's Office: By: Date: Position Approved
Position Disapproved

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)

AUTHOR

AMENDMENT DATE

BILL NUMBER

K. De Leon

March 24, 2010

AB 2468

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code
	LA	(Dollars in Thousands)							
	CO	PROP							
	RV	98	FC	2009-2010	FC	2010-2011	FC	2011-2012	
7350/DIR	SO	No		-----	See Fiscal Summary	-----			0001