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Many voices, as one, can make a difference

BY GRETA K. KOLCON

Daily Record Columnist

As the only statewide bar association in New York dedicated to promoting the advancement of women in society and the legal profession, the Women's Bar Association of the State of New York is known for addressing difficult legal issues, advocating change and promoting the fair and equal administration of justice. The right to breast milk expression in the workplace is just one recent example of how GRAWA allows its members to participate in advancing the rights of all New Yorkers.

Snapshot from 1995

The bar examination turned out to be nothing compared with the challenges of becoming a mother. Breastfeeding was one of them, but the medical evidence of the health benefits afforded by breast feeding to both mother and child was overwhelming. It turned out to be worth the learning curve until I went back to work.

As a very young, full-time litigation attorney, I was concerned about being shelved on a "mommy track" right at the outset of my career. The last thing I felt I could do was have a discussion about how I could express milk at work during the day so I could continue providing for my child.

My legal employer at the time had no policy on breast milk expression, and there was no place to do it other than maybe in a bathroom stall, and that was not really feasible. I managed for a while, but the obstacles were just too great to continue. That was my situation as a young professional, but for working women in many other types of jobs, even considering the issue was not an option due to break schedules.

New legislation in 2007

While New York Civil Rights Law §79-e, passed in 1994, permits a mother to breastfeed her child in any public or private location, that law did not address workplace rights, or consider the practical difficulties women faced when returning to work after childbirth.

WBASNY supported proposed legislation — recently

GRAWA PRESIDENT'S MESSAGE



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signed into law as New York's Chapter 574 of the Law of 2007 amending the Labor Law by adding a new section, Section 206-c: "Right of nursing mothers to express breast milk. An employer shall provide reasonable unpaid break time or permit an employee to use paid break time or meal time each day to allow an employee to express breast milk for her nursing child for up to three years following child birth. The employer shall make reasonable efforts to provide a room or other location, in close proximity to the work area, where an employee can express milk in privacy. No employer shall discriminate in any way against an employee who chooses to express breast milk in the work place."

By enacting this law, New York joins the majority of states that already have similar laws in place. It is recognized in some circles that the law really benefits employers as well

as working mothers because, by encouraging the use of breast milk, the increased health benefits actually reduce absenteeism due to infant illness and provide long-term benefits that statistically lower the number of medical treatments required. All of this, in turn, can positively impact employers' health insurance costs.

Honor our 25-year attorneys Oct. 17

Sheila A. Gaddis, Cheryl A. Heller, Helvi McClelland, Carolyn G. Nussbaum, Ellen M. O'Neill, JoAnn M. Wahl, and Karla D. Wilsey will be honored for having provided 25 years of service to the legal profession at GRAWA's annual New Member Reception at 5 p.m. on Oct. 17 at Nixon Peabody LLP, Clinton Square, 13th floor. New members also will be officially welcomed. The event is free and open to non-members.

For those who have considered joining GRAWA but have not done so, membership forms will be available at the event.

Greta K. Kolcon is a partner in the law firm of Woods Oviatt Gilman LLP, where she concentrates her practice in civil litigation.