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**BREASTFEEDING WALK-IN CLINIC**

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Department of Industrial and Employment Relations



Kummissarju għat-Tfal  
Commissioner for Children

# ARE YOU BREASTFEEDING YOUR BABY?

*Will you be going back to Work?*



## THE RIGHTS OF BREASTFEEDING MOTHERS WHEN THEY RETURN TO THEIR PLACE OF WORK

This leaflet is aimed at mothers who breastfeed their babies and who intend to continue breastfeeding their baby once they return to work. Many working mothers continue to breastfeed their babies successfully.

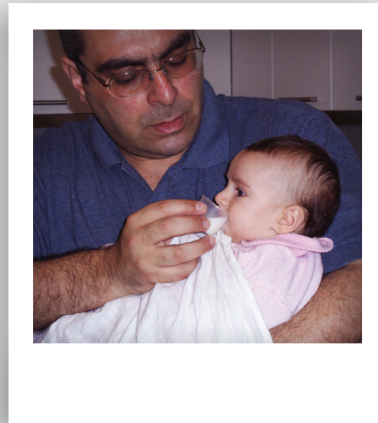
It is highly recommended that employers allow special time and provide a healthy and safe environment for mothers to express and to store their milk. Toilets are NOT suitable for this. The room should be private and include hand washing facilities, a comfortable chair and a small refrigerator. For more information one can consult with the 'Guidelines to set up a Breastfeeding Room at the place of work' issued by the Health Promotion and Disease Prevention Directorate.

The following may answer some of the questions that you might have with regards to Breastfeeding and Work and the implications that might arise in connection with health and safety issues at the place of work that might affect you and your baby.

## HOW CAN I CONTINUE BREASTFEEDING WHILE WORKING?

You have a number of options. You can:

- Arrange to take your baby to a childcare centre close to your work place, so that you can breastfeed during breaks, before and after work;
- Depending on the baby's age, introduce the bottle or the cup to your baby so that he/she will not refuse to drink once you are at work;
- Express breast milk so that someone else can feed your baby while you are at work;
- Start doing this from a few weeks before so that you and the baby can get used to the process;
- Ask for reduced or flexible hours.



## DO I HAVE TO INFORM MY EMPLOYER THAT I AM BREASTFEEDING?

**Yes**, you are to inform your employer in writing as early as possible that you plan to continue breastfeeding when you return to work. This will need to be supported by a certificate issued by a registered medical practitioner or a midwife.

## WHAT SORT OF RISKS MIGHT I BE EXPOSED TO AT THE PLACE OF WORK?

There may be risks other than those associated with pregnancy to consider. These depend on your working conditions and could include:

- Working with organic mercury;
- Working with radioactive materials;
- Exposure to lead.

## HOW WOULD I KNOW THAT THERE ARE RISKS AT MY PLACE OF WORK?

Your employer is obliged by law to conduct a risk assessment of your place of work. The employer will then develop a plan of action that will address the risks that are identified in order to protect you and the baby.

## WHAT ARE MY RIGHTS WHILE I AM BREASTFEEDING?

Amongst others:

- Your employment shall be ensured and the wages shall not be less favourable than those stipulated in your contract of employment (S.L. 452.91);
- There shall be temporary adjustment of the working environment and/or your hours of work if the risk assessment shows the need for it (S.L. 424.11 and S.L.452.91);
- For 12 months following birth, you shall not be obliged to work overtime (S.L. 452.91);
- You may be assigned suitable alternative work which is appropriate for you to do in the circumstances (S.L.452.91);
- You shall be provided with suitable resting facilities so as to allow you to lie down and rest in appropriate conditions (S.L.424.15)

## WHICH ARE THE SPECIFIC LAWS AND REGULATIONS THAT PROTECT MY JOB AND MY HEALTH AND SAFETY AND THAT OF MY BABY AT THE PLACE OF WORK?

- Employment and Industrial Relations Act – Cap. 452;
- Subsidiary Legislation 452.91, Regulations on the Protection of Maternity (employment);
- Health and Safety Authority Act – Cap. 424;
- Subsidiary Legislations 424.11, Protection of Maternity at Work Places Regulations;
- Subsidiary Legislation 424.15, Workplace (Minimum Health and Safety) Regulations.

*Mothers who are employed in the Public Service can also refer to the Public Service Management Code (PSMC).*

