



STAFF REPORT

Meeting Date: September 2, 2014
To: Honorable Mayor & City Council
From: Cheryl Friedling, Deputy City Manager for Public Affairs
Subject: Request by Councilmember Mirisch for a Statement of Support for Nursing Mothers

Attachments:

1. News Reports
2. Draft Letter of Support

INTRODUCTION

Media reports indicate that a retail establishment in Beverly Hills asked a nursing mother to leave the sales floor while breastfeeding, and then refused to provide appropriate accommodations to the nursing mother so that she could breastfeed her infant in an appropriate setting. The mother posted her experience on social media and a subsequent protest in front of the store occurred the next day. The story was widely covered by the media; a copy of news reports are attached for review.

Councilmember Mirisch has requested that the City Council indicate its support for breastfeeding mothers and encourage local establishments to be sensitive to the needs of nursing women and their infants. A draft letter is attached.

DISCUSSION

The California Civil Code Section 43.3 states:

Notwithstanding any other provision of law, a mother may breastfeed her child in any location, public or private, except the private home or residence of another, where the mother and the child are otherwise authorized to be present.

On the federal level, Public Law 106-58 (signed in 1999) allows for nursing mothers to breastfeed at any Federal building or on Federal property if they are authorized to be present at the location.

Furthermore, the Patient Protection and Affordable Care Act (Health Care Reform Act) requires employers to provide reasonable break time and a private, non-bathroom environment for nursing mothers during the workday for one year after a child's birth. This requirement became effective in 2010.

FISCAL IMPACT

None.

RECOMMENDATION

That the City Council review this matter in which a formal statement of support for breastfeeding mothers is drafted to encourage establishments to provide appropriate accommodations for nursing mothers and their infants.

 Cheryl Friedling
Approved By

Attachment 1

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BABIES

NEWS/ Breastfeeding Blowup: Woman Slams Anthropologie After Being Told to Leave Sales Floor While Nursing Her Baby, Joins Mothers in Protest

by BRUNA NESSIF

Wed., Aug. 20, 2014 4:38 PM PDT

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August is National Breastfeeding Month, but apparently Anthropologie didn't get the memo.

Ingrid Wiese Hesson slammed the women's retailer store after she was asked to leave the sales floor by an employee at the Beverly Hills location for nursing her baby, and subsequently taken to their stock room bathroom to finish breastfeeding.

"My first time being escorted out of a store for Breastfeeding. After purchasing \$700 worth of clothing, my baby started crying so I sat down in the back of a nearly empty store and put on a cover," Hesson wrote on Facebook. "Within moments I was asked to do it elsewhere. Happy Breastfeeding month anthropologie!!"

WATCH: [Olivia Wilde talks breastfeeding photos](#)

She continued with a "nipplegate" update that included an email she sent to corporate:

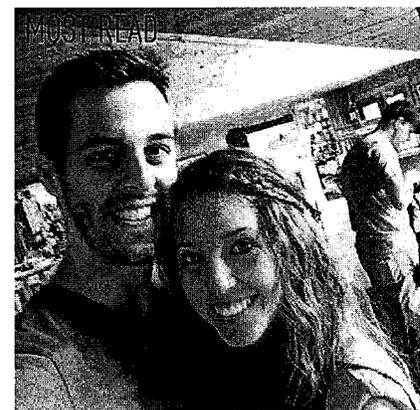
I'm writing to share an unfortunate event that occurred at the Beverly Hills anthropologie location. As a long time Anthro member and loyalist, it seemed natural to do my first postpartum shopping outing at Anthropologie. Anxious to use my birthday discount, I brought my six week old infant along and we both smiled as I

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NEWS/ PREGNANT!

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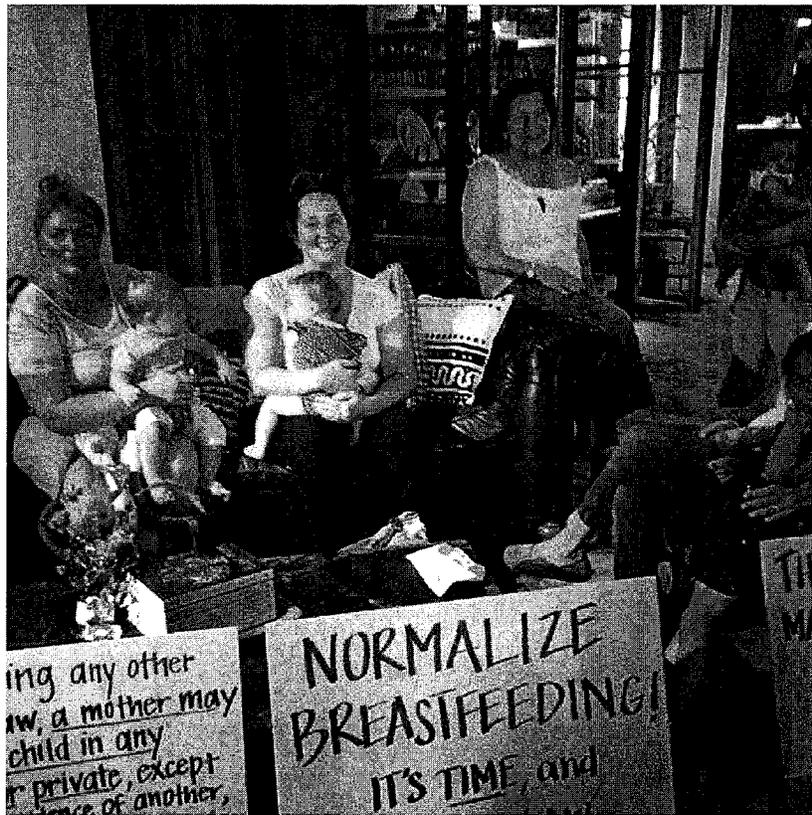


OUCH!

Katy Perry pierces her nose—watch what happens!

walked away from the register with \$700 worth of Breastfeeding friendly clothing. But baby began to cry and I found a chair at the back of the store and sat down to feed him. Imagine my surprise when the manager Meredith approached, "I'm here to escort you to the ladies room where you can finish feeding your baby." Shocked. I unlatched the infant, he began to cry, and we did the walk of shame to the stock room bathroom. There was nothing but a toilet in the room. "Sorry we don't have a chair." I left the store embarrassed and called back to talk to Meredith and verify what I had just experienced. "I thought you and the other customers would be more comfortable off the sales floor," she explained. Please inform Meredith that CA law grants me the right to Breastfeed in public. As a store that caters to women, I would hope your staff would be more understanding. Meredith said, "we must be fair to all the customers, not just moms." Meredith, moms are customers too. At least the many women that have already liked my Facebook post in the past hour seem to think so. Shame on you anthropologie.

LOOK: Jaime King nurses her baby, says "breastfeeding should not be taboo"



Facebook

Corporate responded on their Facebook page with the following:

We are disappointed to hear of the unfortunate experience that occurred in our Beverly Hills store. As a company comprised of hundreds of mothers, which seeks to put the customer first, we celebrate women in all of their life stages. Given our staff's dedication to providing exceptional customer service, we welcome this as an opportunity to enhance our customer experience by providing further training and education for our staff. Our aim is that all women – all mothers – be comfortable in our stores and delight in their relationship with Anthropologie.

Regardless of getting their attention, Hesson and fellow moms put together a breastfeeding sit-in at the store, and posted a photo of the women with their children and signs of protest on her Facebook page.

She wrote, "100+ women Breastfeeding at the Beverly Hills anthropologie!!! Mommy strong! Refuse to move! Know your rights!!"

NEWS/ TOP STORIES



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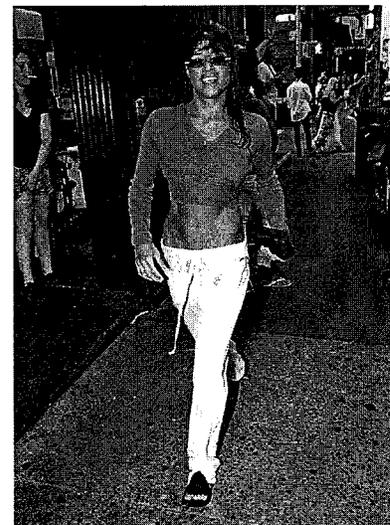


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Just so we're all on the same page, according to the California Civil Code, "Notwithstanding any other provision of law, a mother may breastfeed her child in any location, public or private, except the private home or residence of another, where the mother and the child are otherwise authorized to be present."

And that's that.

PHOTOS: Celeb moms breastfeeding



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20 Things You Should Say to Your Kid Often
(Education.com)

Psychology Of Parenting - 7 Tasks Kids Should Do For Themselves
(Education.com)

Britney Spears' Underwear Shot Is the Best She's Ever Looked (PHOTO)
(Stirring Daily)

This Is What Venus Williams' House Looked Like When She Sold It To Ellen Page
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A Parents Survival Guide: Five Ways to Make Parenting Less Stressful
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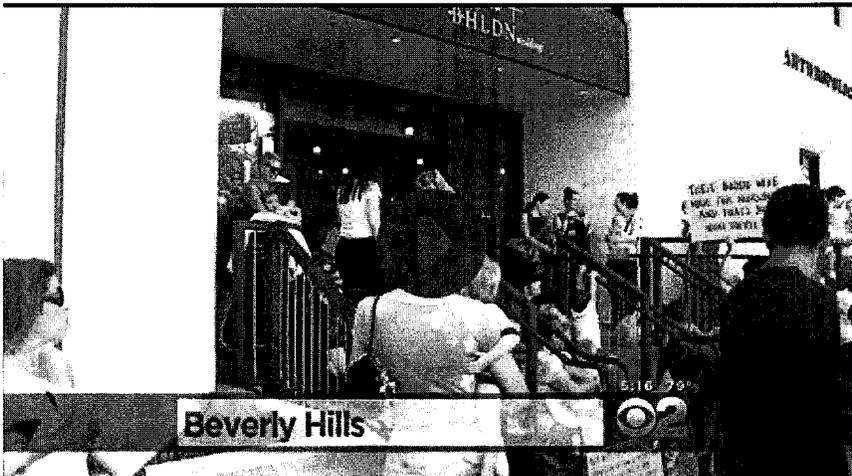
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Local

Breastfeeding Moms Stage 'Nurse-In' At Anthropologie In Beverly Hills

August 20, 2014 6:12 PM

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Beverly Hills

Related Tags: Anthropologie, Beverly Hills, Breastfeeding In Public, Ingrid Wiese-Hesson, Nurse-In, Protest

BEVERLY HILLS (CBSLA.com) — Breastfeeding mothers with their babies in tow descended on an Anthropologie store in Beverly Hills to stage a "nurse-in" after a woman said she was escorted to the store's bathroom because she was feeding her child in the back of the store.

Several mothers and their babies filled the store's seats and the sidewalk outside, breastfeeding their babies as a sign of protest.

"When I heard what happened, I was just really outraged. I couldn't believe it," Catherine Begovic said.

Ingrid Wiese-Hesson posted on [Facebook](#) that she was shopping at Anthropologie in Beverly Hills when her 6-week-old son, Xavier, began crying because he was hungry. When she sat down in the store to feed the child, the store's manager escorted her to the ladies room to finish nursing.

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Wiese-Hesson said the manager's exact words to her were, "I'm here to escort you to the ladies room so that you can finish breastfeeding."

When the manager opened the bathroom, she said, "sorry, there's no chair," Wiese-Hesson said, forcing her to finish feeding her son while sitting on a toilet.

"I would never eat a meal in a bathroom, and I would never force a child to," protestor Kate Ward said.

California law allows breastfeeding mothers to feed their children in any location, public or private, where the mother and child are otherwise authorized to be present.

Breastfeeding has been a hot topic this month because August happens to be Breastfeeding Awareness Month. The issue is a polarizing one, prompting mothers to stage nurse-ins when a mother is shamed or kept from feeding her child in public.

"I want to be able to feed my kids without feeling like somebody is going to kick me out of any public place at any given time," protestor Melissa Remer said.

But others feel strongly that mothers should not nurse in public.

"To be naked is private," one shopper said while walking away.

Anthropologie issued an apology about the incident:

"We are disappointed to hear of the unfortunate experience that occurred in our Beverly Hills store. As a company comprised of hundreds of mothers, which seeks to put the customer first, we celebrate women in all of their life stages. Given our staff's dedication to providing exceptional customer service, we welcome this as an opportunity to enhance our customer experience by providing further training and education for our staff. Our aim is that all women – all mothers – be comfortable in our stores and delight in their relationship with Anthropologie."

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6 Mantras You Should Say Every Morning (Business Innovation)

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Attachment 2



CITY OF BEVERLY HILLS

455 NORTH REXFORD DRIVE • BEVERLY HILLS, CALIFORNIA 90210

Lili Bosse, Mayor

September 2, 2014

To Whom It May Concern:

On behalf of the Beverly Hills City Council, it is our intent to formally recognize nursing mothers in their quest to nurture their infants through breastfeeding, and to protect, promote, and support breastfeeding.

Breastfeeding has proven to be a healthy and safe method to nurture infants and promote bonding. The rights of California nursing mothers are protected by state law to breastfeed an infant in any public or private location (except for a private home); many employers and establishments provide accommodations that offer privacy, comfort, and other amenities for nursing mothers and their child.

This statement of support for breastfeeding and nursing mothers underscores one of the City's core values to promote the health of families and the well-being of visitors to our community.

Sincerely,

Lili Bosse
Mayor