

Breastfeeding not Allowed in Libraries? (Family Status Discrimination)

The EOC supports nursing mothers to use all facilities or enjoy services as any other customer who does not have a baby. The issue might come under the Family Status Discrimination Ordinance (FSDO), which stipulates that it is unlawful for any persons concerned with the provision of goods, facilities or services to the public to discriminate against a person who has a family status and seeks to obtain or use those facilities or services.

◆ The Complaint

Mrs Cheung visited a local library with her baby son. While she was breastfeeding her baby in a quiet corner, two security guards repeatedly told her to stop breastfeeding, and one of them even requested her to leave. A staff member of the library was called to the scene later, and she asked Mrs Cheung to breastfeed the baby in the female staff restroom or in the activity room, as breastfeeding was not allowed in the library. Mrs Cheung felt it was her right to breastfeed her baby and refused to leave the library area.

✓ What the EOC did

Mrs Cheung lodged a complaint of family status discrimination with the EOC against the library. The case was settled through fast track conciliation. The library agreed to issue a written apology as well as to remind its staff members of its breastfeeding guideline. The library also agreed to provide training to its frontline staff and the

contract security service team to make clear that breastfeeding in libraries is permitted. A notice will be displayed in the libraries to inform breastfeeding users that they may seek assistance from library staff whenever necessary.

Points to Note:

- Under the Family Status Discrimination Ordinance, it is unlawful for a service provider to discriminate against a service user on the ground of his/her family status. "Family status" in relation to a person means the status of having responsibility for the care of an immediate family member who is related to that person by blood, marriage, adoption or affinity.
- The EOC considers it is a mother's right to breastfeed her baby anywhere and at any time. The public should accept there is a need for mothers to do so.
- The EOC has been appealing for the provision of more baby care facilities in the community. Service providers and property owners, including the Government, are encouraged to provide facility such as baby care room for use by breastfeeding customers.