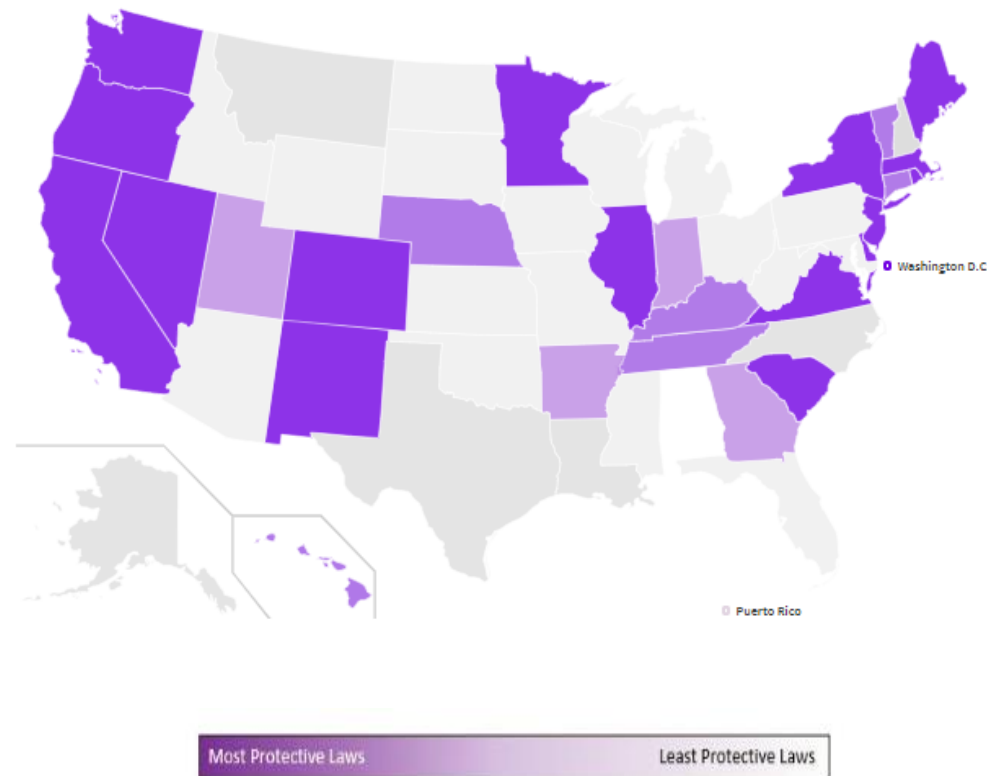





## 50 State Survey of Workplace Lactation Laws



This reference guide provides an overview of the federal and state laws protecting breastfeeding employees in the workplace. This information is based on laws and court decisions identified at the time this guide was last updated, August 1, 2020. There may be laws or regulations protecting breastfeeding employees that are not identified below, including laws that may have passed after the creation of this guide. This document is for informational purposes only. The application and impact of laws change based on the facts involved. For legal advice, seek the counsel of an attorney. **The Center for WorkLife Law operates a free legal hotline that provides information about workplace rights and makes referrals to attorneys, as appropriate. Email [hotline@worklifelaw.org](mailto:hotline@worklifelaw.org) or call 415-703-9276.**

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## **Federal Laws Protecting Breastfeeding Employees**




Under the **Reasonable Break Time for Nursing Mothers provision of the Fair Labor Standards Act**, all employers covered by that federal law<sup>1</sup> must provide certain employees with reasonable break time and a space to express breast milk for up to one year after their child's birth. 29 U.S.C. § 207(r). The space cannot be a bathroom, and must be shielded from view and free from intrusion from coworkers and the public. 29 U.S.C. § 207(r)(1)(B). This law only applies to employees who are covered by the FLSA's overtime requirements (i.e., non-exempt employees).<sup>2</sup>

The **Pregnancy Discrimination Act**, which applies to employers that have 15 or more employees, amended Title VII of the Civil Rights Act of 1964 to explicitly prohibit employment discrimination (e.g., termination, failure to hire or promote, demotion, harassment, retaliation) on the basis of "pregnancy, childbirth, and related medical conditions." 42 U.S.C. §2000e(k). This includes a prohibition against discrimination on the basis of lactation and breastfeeding. See e.g., E.E.O.C. v. Houston Funding II, Ltd., 717 F.3d 425, 428 (5th Cir. 2013) (lactation is a related medical condition of pregnancy for purposes of the PDA). The Pregnancy Discrimination Act also requires that employers treat employees affected by pregnancy, childbirth, and related medical conditions the same as other employees who are similar in their ability or inability to work. 42 U.S.C. §2000e(k). The Equal Employment Opportunity Commission and courts have interpreted this provision to require

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<sup>1</sup> Employers of all sizes are covered by this statute. However, employers with fewer than fifty employees may be excused from the requirements of this law if complying would impose an undue hardship. An employer may be excused due to undue hardship if it shows that the difficulty or expense of complying is significant in relation to its size, financial resources, and nature or structure of business. 29 U.S.C. § 207(r)(3).

<sup>2</sup> If you are uncertain whether you are covered by the overtime requirements, you may review the Department of Labor's Wage and Hour Division Website for more information: <http://www.wagehour.dol.gov> and/or call their toll-free information and helpline, available 8 a.m. to 5 p.m, 1-866-4USWAGE (1-866-487-9243). You may also contact the Center for WorkLife Law's free legal hotline. Email [hotline@worklifelaw.org](mailto:hotline@worklifelaw.org) or call 415-703-9276.

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employers to give employees with lactation-related needs the same ability to address those needs as is given to non-lactating employees under other circumstances. See e.g., Hicks v. City of Tuscaloosa, 870 F.3d 1253, 1258 (11th Cir. 2017) (employer violated the Pregnancy Discrimination Act by refusing to accommodate breastfeeding employee's lactation-related needs with an alternate work assignment when it provided accommodations to other, non-breastfeeding employees).

The Reasonable Break Time for Nursing Mothers Law and the Pregnancy Discrimination Act are federal laws that set a minimum standard of protection that applies in all states. Certain states provide additional protections, as outlined in the chart below.

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### **State Laws Protecting Breastfeeding Employees**

This guide examines three categories of workplace laws impacting breastfeeding or pumping in each of the fifty states and the District of Columbia:

**Break Time and Space:** These laws require employers to allow employees to express breast milk and/or breastfeed during existing breaks at work and/or require employers to provide additional break time for that purpose. Laws in this category may also require employers to provide a space for expressing breast milk. Some laws include additional requirements, such as requiring that the space not be a bathroom, or that it have an electrical outlet.




**Reasonable Accommodation:** These laws require employers to adjust how, when, or where the employee works or make other changes that accommodate the employee's lactation-related needs. Reasonable accommodations may include break time, space for expressing breast milk, protection from hazardous materials, the ability to breastfeed at work, temporary transfers to light duty or less hazardous positions, or other modifications that accommodate the employee's individual needs.

**Anti-Discrimination:** These laws prohibit employers from discriminating against an employee due to breastfeeding or lactation, for example by firing, demoting, refusing to hire, harassing, or taking other adverse action because the employee is breastfeeding. Some anti-discrimination laws also require employers to treat employees who are affected by conditions related to pregnancy and childbirth the same as other employees

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who are similar in their ability to work. Courts may interpret such provisions to require employers to accommodate needs related to lactation and breastfeeding to the extent they accommodate other conditions and needs. See e.g., Hicks v. City of Tuscaloosa, 870 F.3d 1253, 1258 (11th Cir. 2017). Note that some anti-discrimination laws explicitly prohibit discrimination on the basis of breastfeeding or lactation. Other laws prohibit discrimination on the basis of other characteristics that have been interpreted by courts to include breastfeeding and lactation, such as sex, pregnancy, childbirth, or conditions related to pregnancy and childbirth. See e.g., E.E.O.C. v. Houston Funding II, Ltd., 717 F.3d 425, 428 (5th Cir. 2013) (lactation is a medical condition related to pregnancy under Title VII; collecting cases so holding). Note that in some jurisdictions, courts interpret state-level anti-discrimination laws in accordance with Title VII of the Civil Rights Act.




**Other Relevant Laws:** Every state has enacted a law allowing women to breastfeed in any public location, or any location public or private, where the mother and child are authorized to be present. Some states require that certain locations like shopping malls or airports have accessible areas designed for breastfeeding. Although not included in the chart below, these laws may affect an employee's ability to express breast milk at work. For a catalogue of these and related breastfeeding laws, visit <http://www.ncsl.org/research/health/breastfeeding-state-laws.aspx>.

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**Understanding this chart:** This chart provides information on the laws protecting breastfeeding/lactating workers in each state, D.C., and Puerto Rico. Although all of the laws listed in this chart may impact the rights of breastfeeding employees, some of the laws do not explicitly refer to breastfeeding/lactation. For example, some laws have language that only addresses pregnancy and related conditions—which some courts have interpreted to include breastfeeding. To aid in your understanding of the strength of the various laws, this chart is color-coded to help you quickly identify which states have laws that are likely protect breastfeeding workers (blue), which have laws that *may* do so (gray), and which offer no protection (red) at the time of publication of this document, August 2020. This document is for informational purposes only. The application and impact of laws change based on the facts involved. For legal advice, seek the counsel of an attorney. The Center for WorkLife Law operates a free legal hotline that provides information about workplace rights and makes referrals to attorneys, as appropriate. Email [hotline@worklifelaw.org](mailto:hotline@worklifelaw.org) or call 415-703-9276.

**State Law**

State	Break Time and Space	Reasonable Accommodation	Anti-Discrimination
Alabama	No Alabama law identified that expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Alabama law identified that expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	No Alabama law identified that prohibits discrimination on basis of breastfeeding, lactation, pregnancy, childbirth, or sex in employment.
Alaska	No Alaska law identified that expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Alaska law identified that expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	An Alaska law prohibits discrimination on the basis of sex, pregnancy, or parenthood. Alaska Stat. § 18.80.220. This law applies to employers with one or more




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			employees. Alaska Stat. § 18.80.300(5). Courts may interpret laws that prohibit discrimination on the basis of sex and pregnancy to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Alaska law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, or pregnancy-related conditions.
Arizona	No Arizona law identified that expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Arizona law identified that expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	An Arizona law prohibits discrimination on the basis of sex. Ariz. Rev. Stat. Ann. § 41-1463. This law applies to employers with fifteen or more employees. Ariz. Rev. Stat. Ann. § 41-1461(6)(a).  Courts may interpret laws that prohibit discrimination on the basis of sex to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Arizona law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.
Arkansas	An Arkansas law requires employers to provide break time for employees to express breast milk, and take reasonable efforts to provide a private space to express breast milk,	No Arkansas law identified that expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	An Arkansas law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or medical conditions related to pregnancy. Ark. Code




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	<p>which cannot be a toilet stall. Ark. Code Ann. § 11-5-116. Employers may be excused from the break time requirement if compliance would create undue hardship. Ark. Code Ann. § 11-5-116(c).</p>		<p>Ann. §§ 16-123-102(1), 16-123-107. This law applies to employers with nine or more employees. Ark. Code Ann. § 16-123-102(1).</p>
<p>California</p>	<p>A California law requires every employer to provide break time for employees to express breast milk for the employee’s infant child each time the employee has need to express milk, and to provide a private room or location for expressing breast milk, which cannot be a bathroom and shall be in close proximity to the employee’s work area.</p> <p>A lactation room must be safe, clean, and free of hazardous materials, contain a surface to place a breast pump and a place to sit, and have access to electricity or alternative devices necessary to run a breast pump. The employer shall provide access to a sink with running water and a refrigerator suitable for storing milk within close proximity to the employee’s workspace. If a refrigerator cannot be provided an employer may provide another suitable cooling device.</p> <p>Where a multipurpose room is used for lactation, the use of the room for</p>	<p>California employers may not refuse to provide reasonable accommodation for pregnancy, childbirth, or a related medical condition if requested with the advice of a health care provider. Cal. Gov’t Code § 12945(a)(3).</p> <p>This law applies to employers with five or more employees. Cal. Gov’t Code § 12926(d).</p> <p>A reasonable accommodation may include, but is not limited to, providing a reasonable amount of break time and use of a room or other location in close proximity to the employee’s work area to express breast milk in private, modified work duties or schedule, or transfer to a less strenuous or hazardous position. 2 CCR § 11035.</p>	<p>A California law prohibits discrimination on the basis of breastfeeding or medical conditions related to breastfeeding. Cal. Gov’t Code § 12926(r)(1)(C). This law applies to employers with five or more employees. Cal. Gov’t Code § 12926(d).</p> <p>An employer shall not discharge, discriminate, or retaliate against an employee for exercising or attempting to exercise any right related to reasonable break time or adequate space to express milk. Cal. Lab. Code § 1033.</p>






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	<p>lactation shall take precedence over the other uses. Cal. Lab. Code §§ 1030-31.</p> <p>Employers with fewer than 50 employees may be exempt from a space requirement of this law if they can prove it causes an undue hardship. However, the employer must still make reasonable efforts to provide a room or other location, other than a toilet stall, near the employee’s work area, for the employee to express milk in private. Cal. Lab. Code § 1031.</p> <p>Employers may be excused from the break time requirement if compliance would seriously disrupt the operations of the employer. Cal. Lab. Code § 1032.</p> <p>If the employer cannot provide break time or location that complies with the policy the employer shall provide a written response to the employee. Cal. Lab. Code § 1034.</p> <p>Employers must have a policy regarding lactation accommodations including a statement about an employee’s right to request lactation accommodations, the process for making an accommodation request, the employer’s obligation to respond,</p>		
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	and a statement about the employee’s right to file a complaint with the Labor Commissioner for violations. The policy shall be included in the employee handbook, and be distributed to new employees and when employees make an inquiry about or request parental leave. Cal. Lab. Code § 1034.		
Colorado	A Colorado law requires employers to provide reasonable unpaid break time or permit employees to use paid breaks and/or lunch to express breast milk for up to two years after the child’s birth, and to make reasonable efforts to provide a private space near the employee’s work area for expressing breast milk, which cannot be a toilet stall. Colo. Rev. Stat. § 8-13.5.104. Employers may be excused from the space requirement if compliance would cause undue hardship. Colo. Rev. Stat. § 8-13.5.103. This law applies to employers with one or more employees. Colo. Rev. Stat. § 8-13.5.103.	A Colorado law requires employers to make reasonable accommodations for pregnancy, physical recovery from childbirth, or related health conditions, unless the employer demonstrates that the accommodation would impose undue hardship. Colo. Rev. Stat. § 24-34-402.3(1)(a)(I). The law provides that reasonable accommodations may include, but are not limited to, frequent or longer break periods, light duty, and temporary transfers to less strenuous or hazardous work. Colo. Rev. Stat. § 24-34-402.3(4)(a). This law applies to employers with any number of employees. Colo. Rev. Stat. § 24-34-401(3).	A Colorado law prohibits discrimination on the basis of sex. Colo. Rev. Stat. § 24-34-402. This law applies to employers with any number of employees. Colo. Rev. Stat. § 24-34-401(3). Colorado courts have interpreted this law to prohibit discrimination based on pregnancy. <u>Colorado Civil Rights Comm’n v. Travelers Ins. Co.</u> , 759 P.2d 1358, 1366 (Colo. 1988).  Courts may interpret laws that prohibit discrimination on the basis of sex and pregnancy to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Colorado law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, or pregnancy-related conditions.
Connecticut	A Connecticut law creates a right to express breast milk or breastfeed in the workplace during ordinary breaks, but does not require	A Connecticut law requires employers to make reasonable accommodations for pregnancy, childbirth, or a related condition,	A Connecticut law prohibits discrimination on the basis of sex, pregnancy, childbirth, or medical conditions related to pregnancy.

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	<p>additional break time. Conn. Gen. Stat. § 31-40w(a). Employers must also take reasonable efforts to provide a private space for expressing milk, which cannot be a toilet stall. Conn. Gen. Stat. § 31-40w(b).</p> <p>Employers may be excused from the space requirement if compliance would cause undue hardship. Conn. Gen. Stat. § 31-40w(d). This law applies to employers with one or more employees. Conn. Gen. Stat. § 31-40w(d).</p> <p>Employers may not discriminate or take adverse action against employees seeking to express breast milk or breastfeed at work. Conn. Gen. Stat. § 31-40w(d).</p>	<p>including lactation, unless the employer demonstrates that the accommodation would impose undue hardship. Conn. Gen. Stat. § 46a-60. The law provides that reasonable accommodations may include, but are not limited to, break time and appropriate facilities for expressing breast milk, light duty assignments, and temporary transfers to less strenuous or hazardous work. Conn. Gen. Stat. § 46a-60(a)(2).</p> <p>This law applies to employers with three or more employees. Conn. Gen. Stat. §46a-51(10).</p>	<p>Conn. Gen. Stat. §46a-60(a)(7). This law applies to employers with three or more employees. Conn. Gen. Stat. §46a-51(10).</p> <p>Employers of any size may not discriminate against or take adverse action against employees seeking to express breast milk or breastfeed at work. Conn. Gen. Stat. § 31-40w(d).</p>
Delaware	<p>A Delaware law expressly requires employers to provide reasonable accommodations for lactation, including break time and appropriate facilities for expressing breast milk, unless the employer demonstrates that the accommodation would impose undue hardship. 19 Del. Code §§ 710(17), 710(19), 711(a)(3)(b).</p> <p>This law applies to employers with four or more employees. 19 Del. Code § 710(7).</p>	<p>A Delaware law expressly requires employers to provide reasonable accommodations for lactation, unless the employer demonstrates that the accommodation would impose undue hardship. 19 Del. Code §§ 710(17), 711(a)(3)(b).</p> <p>The law provides that reasonable accommodations may include, but are not limited to, break time and appropriate facilities for expressing breast milk and temporary transfers to less strenuous or hazardous work. 19 Del. Code § 710(19). This law</p>	<p>A Delaware law expressly prohibits discrimination against employees on the basis of lactation. 19 Del. Code §§ 710(17), 711. The law also prohibits employers from failing or refusing to treat lactating employees as well as other employees not so affected but similar in their ability or inability to work. 19 Del. Code § 711(a)(3).</p> <p>This law applies to employers with four or more employees. 19 Del. Code § 710(7).</p>

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		applies to employers with four or more employees. 19 Del. Code § 710(7).	
Florida	No Florida law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Florida law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Florida law prohibits discrimination on the basis of sex or pregnancy. Fla. Stat. § 760.10. This law applies to employers with fifteen or more employees. Fla. Stat. § 760.02(7).  Courts may interpret laws that prohibit discrimination on the basis of sex and pregnancy to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Florida law identified expressly prohibits discrimination on the basis of breastfeeding, lactation, childbirth, or medical conditions related to pregnancy.
Georgia	A <a href="#">Georgia law</a> that went into effect August 5, 2020 requires private employers to provide reasonable break time and a private location near the employee’s work area, other than a restroom, for employees to express milk. Employers may not reduce an employee’s pay for the time spent expressing milk at their worksite. Ga. Code Ann. § 34-1-6.  Private employers with fewer than 50 employees may be excused from	No Georgia law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Georgia law prohibits sex discrimination in <i>public</i> employment. Ga. Code. Ann. § 45-19-29. No Georgia law identified prohibits sex discrimination by private employers, aside from requiring equal pay.  Courts may interpret laws that prohibit discrimination on the basis of sex to include the prohibition of discrimination on the basis of breastfeeding or lactation. No

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	<p>following the law if it would cause them an undue hardship. Ga. Code Ann. § 34-1-6.</p> <p>State and local government employees are also entitled to reasonable, paid break time and a private location near the employee's work area for expressing breast milk at their worksite. Ga. Code Ann. § 45-1-7.</p>		<p>Georgia law identified expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or related medical conditions.</p>
Hawaii	<p>A Hawaii law requires that employers provide reasonable, as-needed, break time to express breast milk for a child under one year of age, and provide a private location to express breast milk, other than a restroom. Haw. Rev. Stat. §378-92. This law will not apply if an employer has fewer than twenty employees and shows the requirements impose undue hardship. Haw. Rev. Stat. §378-92(c).</p>	<p>A Hawaii regulation requires employers to make every reasonable accommodation to the needs of a female employee affected by a disability due to and resulting from pregnancy, childbirth, or related medical conditions. Haw. Code R. § 12-46-107(c). This law applies to employers with one or more employees. Haw. Rev. Stat. § 378-1.</p>	<p>A Hawaii law expressly prohibits discrimination against employees who choose to express breast milk or breastfeed at the workplace. Haw. Rev. Stat. § 378-2(7). This law applies to employers with one or more employees. Haw. Rev. Stat. § 378-1.</p>
Idaho	<p>No Idaho law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.</p>	<p>No Idaho law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.</p>	<p>An Idaho law prohibits sex discrimination. Idaho Code Ann. § 67-5909. Idaho courts have interpreted this law to prohibit discrimination based on pregnancy. <u>Stout v. Key Training Corp.</u>, 144 Idaho 195 (2007). Courts may interpret laws that prohibit discrimination on the basis of sex</p>

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			and pregnancy to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Idaho law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, childbirth, or pregnancy-related conditions.
Illinois	An Illinois law requires employers to provide reasonable break time to express breast milk, and employers may not reduce an employee's pay for the time spent expressing milk or breastfeeding. 802 Ill. Comp. Stat. § 260/10. The law also requires employers to make reasonable efforts to provide a private space in close proximity to the work area, other than a toilet stall, to express breast milk. 802 Ill. Comp. Stat. § 260/15. This law applies to employers with six or more employees, and employers may be excused from the break time requirement if compliance would unduly disrupt the operations of the employer. 802 Ill. Comp. Stat. §§ 260/5, 260/10.	An Illinois law prohibits employers from refusing to make reasonable accommodations for pregnancy, childbirth, or medical or common conditions related to pregnancy, unless the employer demonstrates that the accommodation would impose undue hardship. 775 Ill. Comp. Stat. § 5/2-102(J)(1). The law provides that reasonable accommodations may include, but are not limited to, private non-bathroom space for expressing breast milk and breastfeeding, light duty, temporary transfers to less strenuous or hazardous position, and leave. 775 Ill. Comp. Stat. § 5/2-102(J). This law applies to employers with one or more employees. 775 Ill. Comp. Stat. § 5/2-101(B).	An Illinois law prohibits discrimination on the basis of sex, pregnancy, or medical or common conditions related to pregnancy or childbirth. 775 Ill. Comp. Stat. §§ 5/2-102(A), 5/1-103(L-5). The law also requires that women affected by pregnancy, childbirth, and related medical or common conditions be treated the same for all employment related purposes as other persons not so affected but similar in their ability or inability to work. 775 Ill. Comp. Stat. § 5/2-102(I). This law applies to employers with fifteen or more employees. 775 Ill. Comp. Stat. § 5/2-101(B).
Indiana	An Indiana law requires employers to provide a private space other than a toilet stall to express breast milk to the extent doing so is reasonably possible. Ind. Code § 22-2-14-2. The	No Indiana law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	An Indiana law prohibits discrimination on the basis of sex. Ind. Code § 22-9-1-2. This law applies to all employers with six or




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	<p>law also requires employers to provide or allow employees to provide cold storage space for breast milk. Ind. Code § 22-2-14-2. This law applies to employers with twenty-five or more employees. Ind. Code § 22-2-14-1. No law identified requiring employer to provide break time.</p>		<p>more employees. Ind. Code § 22-9-1-3(h).</p> <p>Courts may interpret laws that prohibit discrimination on the basis of sex to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Indiana law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.</p>
Iowa	<p>No Iowa law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.</p>	<p>No Iowa law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.</p>	<p>An Iowa law prohibits discrimination on the basis of sex, pregnancy, childbirth, or disabilities caused by pregnancy or childbirth. Iowa Code § 216.6(2). This law applies to employers with four or more employees. Iowa Code § 216.6(6).</p> <p>Courts may interpret laws that prohibit discrimination on the basis of sex, pregnancy, and childbirth to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Iowa law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, or pregnancy-related conditions.</p>




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<p>Kansas</p>	<p>No Kansas law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.</p>	<p>No Kansas law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.</p>	<p>A Kansas law prohibits discrimination on the basis of sex or pregnancy. Kan. Stat. Ann. § 44-1001; Kan. Admin. Regs. § 21-32-6. This law applies to employers with four or more employees. Kan. Stat. Ann. § 44-1002(b).</p> <p>Courts may interpret laws that prohibit discrimination on the basis of sex and pregnancy to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Kansas law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, childbirth, or pregnancy-related conditions.</p>
<p>Kentucky</p>	<p>A Kentucky law expressly requires employers to provide reasonable accommodations for lactation, including break time and private, non-bathroom space for expressing breast milk, unless the employer demonstrates that the accommodation would impose undue hardship. Ky. Rev. Stat. § 344.030, 344.040.</p> <p>This law applies to employers with fifteen or more employees within the state in each of the 20 or more calendar weeks in the current or preceding calendar year. Ky. Rev. Stat. § 344.030.</p>	<p>A Kentucky law expressly requires employers to provide reasonable accommodations for lactation, including break time and private, non-bathroom space for expressing breast milk, unless the employer demonstrates that the accommodation would impose undue hardship. Ky. Rev. Stat. § 344.030, 344.040.</p> <p>This law applies to employers with fifteen or more employees within the state in each of the 20 or more calendar weeks in the current or</p>	<p>A Kentucky law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or medical conditions related to pregnancy. Ky. Rev. Stat. § 344.030. The law also requires that women affected by pregnancy, childbirth, and related medical conditions be treated the same for all employment-related purposes as other persons not so affected but similar in their ability or inability to work. Ky. Rev. Stat. § 344.030(8). This law applies to employers with eight or more employees. Ky. Rev. Stat. § 344.030(2).</p>






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		preceding calendar year. Ky. Rev. Stat. § 344.030.	
Louisiana	<p>A Louisiana law requires public schools to provide reasonable break time and an appropriate, private room, other than a restroom, to express breast milk. La. Rev. Stat. § 17:81(W).</p> <p>No Louisiana law identified requiring non-public-school employers to provide break time or space.</p>	No Louisiana law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	<p>A Louisiana law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or medical conditions related to pregnancy. La. Rev. Stat. § 23:342. The law also prohibits employers from refusing to provide women affected by pregnancy, childbirth, or related medical conditions the same privileges or benefits of employment as other persons not so affected but similar in their ability or inability to work. La. Rev. Stat. § 23:342(2)(a). This law applies to employers with twenty-five or more employees. La. Rev. Stat. § 23:341.</p>
Maine	<p>A Maine law requires that employers provide employees with reasonable break time to express breast milk, and make reasonable efforts to provide a clean, private room or other location to express breast milk, other than a bathroom until the child is 3 years old. Me. Rev. Stat. Ann. Tit. 26, § 604. This law applies to all private and public employers. Me. Rev. Stat. Ann. Tit. 26 § 603(1)(A).</p>	<p>A Maine law requires employers to provide a reasonable accommodation to employees with pregnancy-related conditions, including lactation. Reasonable accommodations may include, but are not limited to, providing more frequent or longer breaks; temporary modification in work schedules; and lactation accommodations in compliance with Me. Rev. Stat. Ann. Tit. 26, § 604 (<i>see Break Time and Space section of chart</i>).</p>	<p>A Maine law that applies to all employers prohibits discrimination against an employee for choosing to express breast milk in the workplace. Me. Rev. Stat. Ann. Tit. 26 § 603(1)(A).</p> <p>Another Maine law prohibits discrimination against employees on the basis of sex, pregnancy, or medical conditions that result from pregnancy. Me. Rev. Stat. Ann. Tit. 5 §§ 4572, 4572-A. This law also prohibits employers from treating pregnant women who are able to</p>

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		<p>This provision applies to all employers, except where an employer can prove providing the accommodation would amount to an “undue hardship.” 5 Me. Rev. Stat. Ann. Tit. 5. § 4553.</p>	<p>work differently from others who are able to work, and to treat a pregnant woman who is not able to work because of a disability or illness resulting from pregnancy, or from medical conditions which result from pregnancy, such as lactation, in a different manner from other employees who are not able to work because of other disabilities or illnesses. Me. Rev. Stat. Ann. Tit. 5 § 4572-A. This law applies to employers with any number of employees. Me. Rev. Stat. Ann. Tit. 5 § 4553.</p>
<p>Maryland</p>	<p>No Maryland law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.</p>	<p>A Maryland law requires that employers provide reasonable accommodations for disabilities caused or contributed to by pregnancy. Md. Code Ann., State Gov’t § 20-609(b). This law applies to employers with fifteen or more employees. Md. Code Ann., State Gov’t § 20-601(d).</p> <p>A Maryland law which will be in effect October 2020 will require state government employees to be provided with reasonable accommodations for limitations related to pregnancy or childbirth. Accommodations may include, but aren’t limited to, changes in job duties, hours, or work area; transfer;</p>	<p>A Maryland law prohibits discrimination on the basis of sex. Md. Code Ann., State Gov’t § 20-606. This law applies to employers with fifteen or more employees. Md. Code Ann., State Gov’t § 20-601(d).</p> <p>Courts may interpret laws that prohibit discrimination on the basis of sex to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Maryland law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.</p>

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		or providing leave. <a href="#">2020 Bill Text MD H.B. 523</a>	
Massachusetts	Massachusetts law requires employers to provide reasonable accommodations for lactation or the need to express breast milk for a nursing child, including more frequent or longer paid or unpaid breaks and private non-bathroom space for expressing breast milk. An employer is excused from providing an accommodation if it can demonstrate that the accommodation would impose undue hardship. Mass. Gen. Laws ch. 151B, §4. This law applies to employers with six or more employees. Mass. Gen. Laws ch. 151b, § 1(5).	A Massachusetts law requires employers to provide reasonable accommodations for lactation or the need to express breast milk for a nursing child, unless the employer demonstrates that the accommodation would impose undue hardship. Reasonable accommodations may include, but are not limited to, more frequent or longer breaks, temporary transfer to a less strenuous or hazardous position, job restructuring, light duty, and private non-bathroom space for expressing breast milk. Mass. Gen. Laws ch. 151B, §4.. This law applies to employers with six or more employees. Mass. Gen. Laws ch. 151b, § 1(5).	A Massachusetts law prohibits discrimination on the basis of sex, including lactation or the need to express breast milk. Mass. Gen. Laws ch. 151B, §4. This law applies to employers with six or more employees. Mass. Gen. Laws ch. 151b, § 1(5).
Michigan	No Michigan law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Michigan law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Michigan law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. Mich. Comp. Laws §§ 37.2201(d), 37.2202.  The law also prohibits employers from treating an individual affected by pregnancy, childbirth, or a related medical condition differently for any

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			employment-related purpose from another individual not so affected but similar in ability or inability to work, without regard to the source of any condition affecting the other individual's ability or inability to work. Mich. Comp. Laws § 37.2202(d). This law applies to employers with one or more employees. Mich. Comp. Laws § 37.2201(a).
Minnesota	<p>A Minnesota law requires employers to provide reasonable break time to express breast milk. Minn. Stat. § 181.939(a). The law also requires that employers make reasonable efforts to provide a private room or other location in close proximity to the work area, other than a bathroom or toilet stall, and with access to an electrical outlet, to express breast milk. Minn. Stat. § 181.939(b). This law applies to employers with one or more employees, and employers may be excused from the break time requirement if compliance would unduly disrupt the operations of the employer. Minn. Stat. § 181.939(c).</p> <p>Employers may not retaliate against an employee for asserting her right to break time and pumping space. Minn. Stat. § 181.939(d).</p>	<p>A Minnesota law requires that employers provide reasonable accommodations for health conditions related to pregnancy or childbirth, unless the employer demonstrates that the accommodation would impose undue hardship. Minn. Stat. § 181.9414. Reasonable accommodations under this law may include, but are not limited to, frequent restroom breaks and temporary transfers to a less strenuous or hazardous position. Minn. Stat. § 181.9414. This law applies to employers with twenty-one or more employees. Minn. Stat. § 181.940 subd. 3.</p>	<p>A Minnesota law prohibits discrimination on the basis of sex, pregnancy, childbirth, or disabilities related to pregnancy or childbirth. Minn. Stat. §§ 363A.03 subd. 42, 363A.08. This law applies to employers with one or more employees. Minn. Stat. § 363A.03 subd. 16.</p> <p>Courts may interpret laws that prohibit discrimination on the basis of sex, pregnancy, and childbirth to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Minnesota law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, or pregnancy-related conditions.</p>

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Mississippi	A Mississippi law prohibits employers from preventing employees from expressing breast milk during any meal period or other break period. Miss. Code Ann. § 71-1-55. No Mississippi law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Mississippi law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Mississippi law prohibits discrimination on the basis of sex in <i>public</i> employment. Miss. Stat. § 25-9-149. No Mississippi law identified that prohibits discrimination on the basis of sex, breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions in private employment.
Missouri	No Missouri law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Missouri law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Missouri law prohibits discrimination on the basis of sex. Mo. Rev. Stat. § 213.055. This law applies to employers with six or more employees. Mo. Rev. Stat. § 213.010(7).  Courts may interpret laws that prohibit discrimination on the basis of sex to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Missouri law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.
Montana	A Montana law requires that <i>public</i> employers provide reasonable break time to express breast milk, if breaks are currently allowed; If breaks are	No Montana law identified expressly requires employers to provide reasonable accommodations for	A Montana law prohibits discrimination on the basis of sex. Mont. Code Ann. § 49-2-303. This law applies to employers with one or

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	<p>not allowed, the <i>public</i> employer must consider each case and make accommodations as possible. § 39-2-217. A Montana law also requires <i>public</i> employers to make reasonable efforts to provide a room or other location in close proximity to the work area to express breast milk, other than a toilet stall. Mont. Code Ann. § 39-2-216. At minimum, the room for expressing breast milk must be private, have lighting, and access to electricity. Mont. Code Ann. § 39-2-215.</p> <p>No Montana law identified expressly requires <i>private</i> employers to provide break time or space to express breast milk or breastfeed.</p>	<p>expressing breast milk or breastfeeding.</p>	<p>more employees. Mont. Code Ann. § 49-2-101.</p> <p>Courts may interpret laws that prohibit discrimination on the basis of sex to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Montana law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.</p>
Nebraska	<p>A Nebraska law prohibits employers from refusing to make reasonable accommodations to the known physical limitations of an employee who is pregnant, has given birth, or has a related medical condition, including break time and appropriate facilities for breast-feeding or expressing breast milk, unless the employer demonstrates that the accommodation would impose undue hardship. The law applies to employers with 15 or more employees. Neb. Rev. Stat. Ann. §§ 48-1102(11), 48-1107.02(2)(d).</p>	<p>A Nebraska law prohibits employers from refusing to make reasonable accommodations to the known physical limitations of an employee who is pregnant, has given birth, or has a related medical condition, unless the employer demonstrates that the accommodation would impose undue hardship. Neb. Rev. Stat. Ann. § 48-1107.02(2)(d).</p> <p>Reasonable accommodations may include break time and appropriate facilities for breast-feeding or expressing breast milk, job</p>	<p>A Nebraska law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or medical conditions related to pregnancy. Neb. Rev. Stat. Ann. §§ 48-1104, 48-1102(13). This law applies to employers with fifteen or more employees. Neb. Rev. Stat. Ann. § 48-1102(2).</p>




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		<p>restructuring, light-duty assignments, and temporary transfer to less strenuous or hazardous work. Neb. Rev. Stat. Ann. § 48-1102(11).</p> <p>This law applies to employers with fifteen or more employees. Neb. Rev. Stat. Ann. § 48-1102(2).</p>	
Nevada	<p>A Nevada law requires employers with 15 or more employees to provide reasonable accommodations to an employee for lactation, mastitis, or other lactation-related medical conditions, unless the employer demonstrates that the accommodation would impose undue hardship. Reasonable accommodations may include revising break schedules and providing space other than a bathroom to express breast milk. Nev. Rev. Stat. Ann. §§ 613.4353-4383.</p>	<p>A Nevada law requires employers to provide reasonable accommodations to an employee for conditions related to pregnancy, childbirth, or a related medical condition, including lactation, mastitis, or other lactation-related medical conditions, unless the employer demonstrates that the accommodation would impose undue hardship. Nev. Rev. Stat. Ann. §§ 613.4353-4383.</p> <p>Reasonable accommodations under this law may include, but are not limited to, providing seating, revising break schedules, providing space other than a bathroom to express breast milk, authorizing light duty, and temporary transfers to less strenuous or hazardous work. Nev. Rev. Stat. Ann. §§ 613.4371. This law applies to employers with fifteen or more employees. Nev. Rev. Stat. § 613.310.</p>	<p>A Nevada law prohibits discrimination against employees on the basis of sex. Nev. Rev. Stat. §§ 613.330. This law applies to employers with fifteen or more employees. The Nevada Nev. Rev. Stat. § 613.310. Another Nevada law prohibits discrimination against a female employee because the employee requests or uses a reasonable accommodation for lactation, the need to express breast milk, mastitis, or other lactation-related medical conditions. Nev. Rev. Stat. Ann. §§ 613.4353-4383.</p>
New Hampshire	No New Hampshire law identified expressly requires employers to	No New Hampshire law identified expressly requires employers to	A New Hampshire law prohibits discrimination against employees on




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	provide break time or space to express breast milk or breastfeed.	provide reasonable accommodations for expressing breast milk or breastfeeding.	the basis of sex, pregnancy, or medical conditions that result from pregnancy. N.H. Rev. Stat. Ann. § 354-A:7. The law also requires that pregnancy, childbirth, and related medical conditions be treated as temporary disabilities, and women affected by pregnancy, childbirth, or related medical conditions shall be treated the same as other employees with temporary disabilities. N.H. Rev. Stat. Ann. § 354-A:7(VI)(c). This law applies to employers with six or more employees. N.H. Rev. Stat. Ann. § 354-A:2(VII).
New Jersey	A New Jersey law requires that employers provide reasonable break time each day and a suitable room or other location with privacy, other than a toilet stall, in close proximity to the work area for the employee to express breast milk, unless to do so would cause an undue hardship on the employer. N.J. Stat. Ann. § 10:5-12(s). This law applies to employers with any number of employees. N.J. Stat. Ann. § 10:5-5(e). Employers are prohibited from penalizing an employee for requesting accommodations under this law. N.J. Stat. Ann. § 10:5-12(s).	A New Jersey law requires that employers provide reasonable accommodations for breastfeeding, unless the employer demonstrates that the accommodation would impose undue hardship. N.J. Stat. Ann. § 10:5-12(s).  Reasonable accommodations under this law include, among others, reasonable break time each day and a suitable room or other location with privacy, other than a toilet stall, in close proximity to the work area for the employee to express breast milk; job restructuring; modified work schedules; and temporary transfers to less strenuous or	A New Jersey law prohibits discrimination against employees on the basis of sex, pregnancy, or breastfeeding. N.J. Stat. Ann. § 10:5-12(a). It prohibits employers from penalizing employees for requesting or using a breastfeeding accommodation. N.J. Stat. Ann. § 10:5-12(s). The law also prohibits employers from treating women affected by pregnancy or breastfeeding less favorably than other persons not so affected but similar in their ability or inability to work. N.J. Stat. Ann. § 10:5-12(s). This law applies to employers with any number of employees. N.J. Stat. Ann. § 10:5-5(e).






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		hazardous work. N.J. Stat. Ann. § 10:5-12(s). This law applies to employers with any number of employees. N.J. Stat. Ann. § 10:5-5(e).	
New Mexico	A New Mexico law requires employers to provide flexible break time and a private, clean space near the employee’s workspace that is not a bathroom for using a breast pump. N.M. Stat. Ann. § 28-20-2. This law applies to employers with four or more employees. N.M. Stat. Ann. § 28-1-2(B).	A New Mexico law requires employers to provide reasonable accommodations for employees’ needs arising from pregnancy, childbirth, or related medical conditions. N.M. Stat. Ann. §§ 28-1-2, 28-1-7.  Employers must engage in a good faith process with their employee to reach a reasonable accommodation, which may include changes to the work environment, work schedule, work rules or job responsibilities. N.M. Stat. Ann. § 28-1-2. Employers do not need to provide the accommodation if it imposes an “undue hardship” on the employer. N.M. Stat. Ann. § 28-1-2 et. seq.  Employer means any person employing four or more persons. N.M. Stat. Ann. § 28-1-2.	A New Mexico law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or related medical condition. N.M. Stat. Ann. § 28-1-7; N.M. Admin. Code § 9.1.1.7(HH)(2). The law also requires that women affected by pregnancy, childbirth, or related medical conditions be treated the same as other employees with temporary disabilities for all employment related purposes. N.M. Admin. Code § 9.1.1.7(HH)(2). This law applies to employers with four or more employees. N.M. Stat. Ann. § 28-1-2(B).
New York	A New York law requires that employers provide reasonable break time to express breast milk, and make reasonable efforts to provide a	A New York law prohibits employers from refusing to make reasonable accommodations for	A New York law prohibits discrimination on the basis of sex. N.Y. Exec. Law § 290-301.

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	<p>private location in close proximity to the work area to express breast milk. N.Y. Lab. Law § 206-c. This law applies to employers with any number of employees. N.Y. Lab. Law § 2(6).</p>	<p>pregnancy-related conditions, including lactation.</p> <p>Reasonable accommodations include but are not limited to, job restructuring and modified work schedules, unless the employer demonstrates that the accommodation would impose undue hardship. N.Y. Exec. Law § 296(3)(a).</p>	<p>Also, a New York law that requires employers to provide break time and space for employees to express breast milk prohibits discrimination against an employee who chooses to express breast milk in the workplace. N.Y. Labor Law § 206-c.</p>
<p>North Carolina</p>	<p>No North Carolina law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.</p> <p>Under <a href="#">N.C. Exec. Order No. 82 (2018)</a> <i>state</i> employees are entitled to workplace adjustments for pregnancy-related conditions, including lactation, unless doing so would cause an undue hardship. These adjustments may include reasonable break time and access to appropriate, non-bathroom space to express breast milk. The state agency may seek documentation from the employee’s health care provider about the necessity of the accommodations.</p>	<p>No North Carolina law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.</p> <p>Under <a href="#">N.C. Exec. Order No. 82 (2018)</a> <i>state</i> employees are entitled to workplace adjustments for pregnancy-related conditions, including lactation, unless doing so would cause an undue hardship. These adjustments may include reasonable break time and access to appropriate, non-bathroom space to express breast milk. The state agency may seek documentation from the employee’s health care provider about the necessity of the accommodations.</p>	<p>A North Carolina law prohibits discrimination on the basis of biological sex. N.C. Gen. Stat. § 143-422.2. This law applies to employers with fifteen or more employees. N.C. Gen. Stat. § 143-422.2.</p> <p>Courts may interpret laws that prohibit discrimination on the basis of sex to include the prohibition of discrimination on the basis of breastfeeding or lactation. No North Carolina law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.</p>

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North Dakota	No North Dakota law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No North Dakota law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	<p>A North Dakota law prohibits discrimination on the basis of sex, pregnancy, childbirth, and disabilities related to pregnancy or childbirth. N.D. Cent. Code §§ 14-02.4-03, 14-02.4-02(18). This law applies to employers with one or more employees. N.D. Cent. Code § 14-02.4-02(8).</p> <p>Courts may interpret laws that prohibit discrimination on the basis of sex, pregnancy, and childbirth to include the prohibition of discrimination on the basis of breastfeeding or lactation. No North Dakota law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, or pregnancy-related conditions that are not disabilities.</p>
Ohio	No Ohio law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Ohio law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	An Ohio law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or related medical conditions. Ohio Rev. Code §§ 4112.01(B), 4112.02(A). This law also requires that women affected by pregnancy, childbirth, or related medical conditions be treated the same for all employment related purposes as other persons not so affected but similar in their ability or inability to work. Ohio Rev. Code

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			§§ 4112.01(B). This law applies to employers with four or more employees. Ohio Rev. Code § 4112.01(2).
Oklahoma	An Oklahoma law provides that employers <i>may</i> provide reasonable break time to breastfeed or express breast milk, and <i>may</i> make reasonable efforts provide a private, secure, sanitary location in close proximity to the work area to express breast milk or breastfeed, other than a toilet stall. The law says that employers may be excused from the break time provision if compliance would cause undue hardship. This law applies to employers with one or more employees. 40 Ok. Stat. § 40-435.	No Oklahoma law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	An Oklahoma law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or medical conditions related to pregnancy and childbirth. 25 Ok. Stat. §§ 25-1302, 25-1301(6). The law also requires that women affected by pregnancy, childbirth, or related medical conditions be treated the same for all employment related purposes as other persons not so affected but similar in their ability or inability to work. 25 Ok. Stat. § 25-1301(6). This law applies to employers with one or employee. 25 Ok. Stat. § 25-1301.
Oregon	An Oregon Law requires employers to provide employees with reasonable break time, as needed, to express breastmilk until their child is 18 months old. Employers must also make reasonable efforts to provide a location, other than a public restroom or toilet stall, in close proximity to the employee’s work area for the employee to express milk in private. An employer may allow an employee to temporarily change job duties if	An Oregon law prohibits employers from failing or refusing to make reasonable accommodations for pregnancy-related conditions, including lactation. This law also prohibits employers from taking any adverse employment action or otherwise discriminating or retaliating against an applicant or an employee due to their request for accommodation. Or. Rev. Stat. § 659A. This law applies to employers	An Oregon law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or related medical conditions or occurrences. Or. Rev. Stat. §§ 659A.029, 659.A030. The law also requires that women affected by pregnancy, childbirth, or related medical conditions or occurrences be treated the same for all employment related purposes as other persons not so affected but

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	<p>the employee’s regular job duties do not allow the employee to express milk. OR. REV. STAT. § 653.077.</p> <p>Employers with fewer than 10 employees who would face an undue hardship may be exempt from the break time requirements. OR. REV. STAT. § 653.077.</p> <p><i>The Oregon law also requires each school district to adopt a policy on breastfeeding which provides a private a private location, in close proximity to the work area, other than a public restroom or toilet stall, to express breast milk. Or. Rev. Stat. § 653.077(10).</i></p>	<p>with six or more employees. Or. Rev. Stat. § 659A (4).</p>	<p>similar in their ability or inability to work by reason of physical condition. Or. Rev. Stat. § 659A.029. This law applies to employers with one or more employees. Or. Rev. Stat. § 659A.001(4)(a).</p>
<p>Pennsylvania</p>	<p>No Pennsylvania law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.</p>	<p>No Pennsylvania law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.</p>	<p>A Pennsylvania law prohibits discrimination on the basis of sex. 43 Pa. Cons. Stat. § 955. This law applies to employers with four or more employees. 43 Pa. Cons. Stat. § 954.</p> <p>Another Pennsylvania law prohibits employer policies which exclude applicants or employees because of pregnancy. 16 Pa. Code § 41.102. No Pennsylvania law identified prohibits discrimination in general on the basis of pregnancy.</p>

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			Courts may interpret laws that prohibit discrimination on the basis of sex and pregnancy to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Pennsylvania law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, or pregnancy-related conditions.
Rhode Island	<p>A Rhode Island law prohibits employers from refusing to reasonably accommodate an employee’s need to express breast milk for a nursing child, unless the employer demonstrates providing the accommodation would be an undue hardship. R.I. Gen. Laws § 28-5-7.4(a)(1). Reasonable accommodations under this law include break time and a private non-bathroom space for expressing breast milk. R.I. Gen. Laws § 28-5-7.4(b)(1). This law applies to employers with four or more employees. R.I. Gen. Laws § 28-5-6(8).</p> <p>A different Rhode Island law, which applies to all employers with at least one employee states that employers <i>may</i> provide reasonable break time to breastfeed or express breast milk unless to do so would impose an undue hardship, and must make</p>	<p>A Rhode Island law prohibits employers from refusing to reasonably accommodate an employee’s pregnancy, childbirth, or a related medical condition, including the need to express breast milk, unless the employer demonstrates that the accommodation would impose undue hardship. R.I. Gen. Laws § 28-5-7.4(a)(1). Reasonable accommodations under this law include, but are not limited to, break time and private non-bathroom space for expressing breast milk, modified work schedule, and temporary transfers to less strenuous or hazardous work. R.I. Gen. Laws § 28-5-7.4(b)(1). This law applies to employers with four or more employees. R.I. Gen. Laws § 28-5-6(8).</p>	<p>A Rhode Island law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or related medical conditions. It also requires employers to treat women affected by pregnancy, childbirth, or related medical conditions the same for all employment-related purposes as other persons not so affected but similar in their ability or inability to work. R.I. Gen. Laws §§ 28-5-6(2), 28-5-7. This law applies to employers with four or more employees. R.I. Gen. Laws § 28-5-6(8).</p>




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	reasonable efforts provide a private, secure, and sanitary location in close proximity to the work area, other than a toilet stall, to breastfeed or express breast milk. R.I. Gen. Laws § 23-13.2-1.		
South Carolina	<p>A South Carolina law requires employers to provide reasonable unpaid break time or the use of existing paid break time to express breast milk. Employers shall make reasonable efforts to provide a room or other location near the employee’s workspace, which is not a toilet stall, where employees may express breast milk privately. S.C. Code Ann. § 41-1-130.</p> <p>Employers are not required to provide break time under this law if doing so poses an undue hardship. S.C. Code Ann. § 41-1-130.</p> <p>Another South Carolina law also requires employers to provide reasonable accommodations to employees with medical needs arising from pregnancy, childbirth or related medical conditions, including lactation. (See “Reasonable Accommodation” section.)</p>	<p>A South Carolina law requires employers to provide reasonable accommodations to employees with medical needs arising from pregnancy, childbirth or related medical conditions, including lactation, unless the employer can demonstrate that the accommodation would impose an undue hardship on the operation of the business of the employer. S.C. Code Ann. §§ 1-13-80(A)(4).</p> <p>Reasonable accommodations under the law may include providing a private place, other than a bathroom stall for the purpose of expressing milk and modifying work schedules.</p> <p>Employers may not take adverse action or otherwise retaliate against an employee for requesting or using an accommodation, require an employee to accept an unnecessary accommodation or one the employees chooses not to accept, or force employees to take leave if a</p>	<p>A South Carolina law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or related medical conditions, including lactation. S.C. Code Ann. §§ 1-13-30(l); 1-13-80. The law also requires employers to treat women affected by these conditions the same for all employment related purposes as other persons not so affected but similar in their ability or inability to work. S.C. Code Ann. § 1-13-30(l). This law applies to employers with fifteen or more employees. S.C. Code Ann. § 1-13-30(e)</p> <p>A South Carolina law prohibits employers from discriminating against employees for choosing to express breast milk at work in compliance with the act. S.C. Code Ann. § 41-1-130.</p>




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		<p>reasonable accommodation can be provided.</p> <p>This law applies to employers with fifteen or more employees. S.C. Code Ann. § 1-13-30(e).</p>	
South Dakota	<p>No South Dakota law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.</p>	<p>No South Dakota law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.</p>	<p>A South Dakota law prohibits discrimination on the basis of sex. S.D. Codified Laws § 20-13-10. This law applies to employers with any number of employees. S.D. Codified Laws § 20-13-1(7).</p> <p>Courts may interpret laws that prohibit discrimination on the basis of sex to include the prohibition of discrimination on the basis of breastfeeding or lactation. No South Dakota law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.</p>
Tennessee	<p>A Tennessee law requires that employers provide reasonable break time to express breast milk, unless to do so would unduly disrupt the employer's operations. The law also requires employers to make reasonable efforts provide a private location in close proximity to the work area, other than a toilet stall, to</p>	<p>A Tennessee law, effective October 1, 2020 requires employers with 15 or more employees to make reasonable accommodations for medical needs arising from pregnancy, childbirth, or related medical conditions, including lactation.</p>	<p>A Tennessee law prohibits discrimination on the basis of sex. Tenn. Code Ann. § 4-21-401. This law applies to employers with eight or more employees. Tenn. Code Ann. § 4-21-102(5).</p> <p>Courts may interpret laws that prohibit discrimination on the basis</p>






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	<p>express breast milk. This law applies to employers with one or more employees. Tenn. Code. Ann. § 50-1-305.</p>	<p>Reasonable accommodations under the law include providing breaks and a private place, which isn't a bathroom stall, for expressing milk. Tenn. Code Ann. §§ 50-10-101 – 50-10-104, 50-7-302, 50-7-403.</p> <p>Employers may be exempt from providing accommodations if they can show the accommodation is an undue hardship requiring significant difficulty or expense. TENN. CODE ANN. § 4-21-4.</p>	<p>of sex to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Tennessee law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.</p> <p>Tennessee law prohibits retaliation for using or requesting pregnancy-related accommodations. TENN. CODE ANN. § 4-21-4.</p>
Texas	<p>A Texas law requires <i>public</i> employers to provide a reasonable amount of break time and a private place, other than a multiple user bathroom, to express breast milk. Tex. Gov't Code § 619.004.</p> <p>This law prohibits discrimination against public employees seeking to exercise their rights under the law. Tex. Gov't Code § 619.004.</p>	<p>A Texas law requires <i>public</i> employers make reasonable accommodations for the needs of employees who express breast milk. Tex. Gov't Code § 619.003(b).</p>	<p>A Texas law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or related medical conditions. Tex. Lab. Code §§ 21.051, 21.106. The law also requires that employers treat employees affected by pregnancy, childbirth or a related medical condition in the same manner for all employment-related purposes as other employees not so affected but similar in their ability or inability to work. Tex. Lab. Code § 21.106. This law applies to employers with fifteen or more employees. Tex. Lab. Code §21.001(8).</p> <p>Texas law also prohibits discrimination against public</p>

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			employees seeking to exercise their rights under the public employee workplace lactation law. Tex. Gov't Code § 619.004.
Utah	A Utah law prohibits employers from refusing to make “reasonable accommodations” for breastfeeding, which should include providing break time and space, unless providing those accommodations would pose undue hardship. Utah Code Ann. § 34A-5-106(1)(g). Employers may request the employee provide certification from a health care provider that the accommodation is medically advisable. Utah Code Ann. § 34A-5-106(7). This law applies to employers with fifteen or more employees. Utah Code Ann. § 34A-5-102(1)(i)(i)(D).	A Utah law prohibits employers from refusing to make reasonable accommodations for pregnancy, childbirth, breastfeeding, or related conditions, unless the employer demonstrates that the accommodation would pose undue hardship. Utah Code Ann. § 34A-5-106(1)(g). This law applies to public employers of all sizes, and private employers with fifteen or more employees. Utah Code Ann. § 34A-5-102(1)(i)(i)(D).	A Utah law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or pregnancy-related conditions. Utah Code Ann. § 34A-5-106(1)(a)(i)(D). This law applies to employers with fifteen or more employees. Utah Code Ann. § 34A-5-102(1)(i)(i)(D).
Vermont	A Vermont law requires that employers provide reasonable break time to express breast milk until the child is 3 years old. It also requires that employers make a reasonable accommodation to provide a private location to express breast milk, other than a bathroom stall. Employers may be exempted from these requirements if compliance would substantially disrupt the employer’s	A Vermont law requires employers to make reasonable accommodations for pregnancy- or childbirth-related conditions, unless the employer demonstrates that the accommodation would pose undue hardship. 21 V.S.A. §§ 495k, 495d. This law applies to employers with one or more employees. 21 V.S.A. § 495d(1).	A Vermont law prohibits discrimination on the basis of sex. 21 V.S.A. § 495. This law applies to employers with one or more employees. 21 V.S.A. § 495d(1). The Vermont Supreme Court has interpreted this to include discrimination on the basis of pregnancy. <a href="#">Lavalley v. E.B. &amp; A.C. Whiting Co., 166 Vt. 205, 207, 692 A.2d 367, 368 (1997).</a>

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	<p>operations. Employers may not retaliate against an employee for attempting to exercise her rights under this law. 21 V.S.A. § 305.21. This law applies to employers with one or more employees. 21 V.S.A. § 302.</p>		<p>Courts may also interpret laws that prohibit discrimination on the basis of sex and pregnancy to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Vermont law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.</p>
Virginia	<p>A Virginia law requires employers to provide employees with reasonable accommodations for pregnancy, childbirth, and related medical conditions, including lactation. Reasonable accommodations include breaks to express breast milk and access to a private location other than a bathroom for the expression of breast milk. This law applies to employers with 5 or more employees. VA. CODE ANN. § 2.2-3904.</p> <p>A Virginia law requires local school boards to adopt a policy providing a private, non-restroom location for students and employees to take breaks of reasonable length to express breast milk for infant children. Va. Code Ann. § 22.1-79.6.</p> <p>A Virginia law requires personnel policies for state workers that provide reasonable break time for an employee to express breast milk each</p>	<p>A Virginia law requires employers to make reasonable accommodations related to pregnancy, childbirth, or related medical conditions, including lactation.</p> <p>Reasonable accommodations under this law include breaks to express breast milk and access to a private location other than a bathroom for the expression of breast milk, and leave to recover from childbirth. VA. CODE ANN. § 2.2-3904.</p> <p>Employers shall engage in a timely, good faith interactive process with an employee who has requested an accommodation to create an acceptable accommodation. VA. CODE ANN. § 2.2-3904.</p> <p>This law applies to employers with 5 or more employees. VA. CODE ANN. § 2.2-3904.</p>	<p>A Virginia law prohibits employers from discriminating against employees on the basis of sex, pregnancy, childbirth, or related medical conditions, including lactation. The law also requires that women affected by pregnancy, childbirth, or related medical conditions be treated the same for all purposes as other persons not so affected but similar in their abilities or disabilities. Va. Code Ann. §§ 2.2-3901, 2.2-3903.</p> <p>Virginia law also prohibits employers from discriminating against an employee who requests or uses a reasonable accommodation. VA. CODE ANN. § 2.2-3904 (2020).</p>

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	time the employee has need, and a non-bathroom place to do so that is shielded from view and free from intrusion. Va. Code. § 2.2-1201. The policy is available <a href="#">here</a> (see “Hours of Work”).		
Washington	<p>A Washington law requires employers to provide reasonable break time for an employee to express breast milk as often as needed for two years after the child’s birth. These employers must also provide a private location, other than a bathroom, which may be used by the employee to express breast milk. If the business location does not have a space for the employee to express milk, the employer shall work with the employee to identify a convenient location and schedule to accommodate their needs. WASH. REV. CODE § 43.10.005.</p> <p>This law applies to employers with 15 or more employees. Employers are not required to provide an accommodation that they can demonstrate would impose an undue hardship. WASH. REV. CODE § 43.10.005.</p> <p>Washington’s anti-discrimination law protects the right of a mother to</p>	<p>A Washington law requires employers to provide accommodations for pregnancy and pregnancy-related health conditions, including lactation. WASH. REV. CODE § 43.10.005.</p> <p>Reasonable accommodations under this law include, but aren’t limited to, providing reasonable break time for an employee to express milk and providing a non-bathroom space to do so, and temporary transfer. WASH. REV. CODE § 43.10.005.</p> <p>This law applies to employers with 15 or more employees, unless the employer demonstrates that the accommodation would impose an undue hardship requiring significant difficulty or expense. WASH. REV. CODE § 43.10.005.</p>	<p>A Washington law prohibits discrimination against employees on the basis of sex, pregnancy, or medical conditions related to pregnancy. Wash. Rev. Code § 49.60.180; Wash. Admin. Code § 162-30-020. This law applies to employers with eight or more employees. Wash. Rev. Code § 49.60.040(11).</p> <p>Employers cannot take adverse action against an employee who requests, declines, or uses an accommodation. WASH. REV. CODE § 43.10.005.</p>

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	breastfeed her child in any place of public resort, accommodation, assemblage, or amusement. This may apply to workers during break time. WASH. REV. CODE § 49.60.030.		
West Virginia	No West Virginia law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	A West Virginia law prohibits employers from refusing to make reasonable accommodation for known limitations related to pregnancy, childbirth or related medical conditions, unless the employer demonstrates that the accommodation would impose undue hardship. W. Va. Code Ann. § 5-11b-2. This law applies to employers with twelve or more employees. W. Va. Code Ann. § 5-11-3(d).	A West Virginia law prohibits discrimination on the basis of sex. W. Va. Code Ann. § 5-11-9. This law applies to employers with twelve or more employees. W. Va. Code Ann. § 5-11-3(d). No West Virginia law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.
Wisconsin	No Wisconsin law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Wisconsin law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Wisconsin law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or related medical conditions. Wis. Stat. §111.36(1)(c). This law applies to employers with one or more employees. Wis. Stat. §111.32(6)(a).
Wyoming	No Wyoming law identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Wyoming law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Wyoming law prohibits discrimination on the basis of sex and pregnancy. Wyo. Stat. Ann. § 27-9-105(i). This law applies to employers with two or more

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			employees. Wyo. Stat. Ann. § 27-9-102(b). No Wyoming law identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, or pregnancy-related conditions.
Puerto Rico	A Puerto Rico law requires employers to provide an hour for each full-time workday (or 30 minutes for shifts lasting at least 4 hours), for nursing mothers to express breast milk or to breastfeed at on-site childcare. Lactation spaces must provide privacy, safety and hygiene, and have electrical outlets and ventilation. Small businesses, as defined the U.S. Small Business Administration, must only provide employees with half an hour during the work day. If the employee of a small business is working on a part-time bases and the working day exceeds four hours, the period granted shall be thirty minutes for every consecutive four hour working period. 29 L.P.R.A. § 478a.	No Puerto Rico law identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Puerto Rico law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or medical conditions related to pregnancy. The law also requires employers to treat women affected by pregnancy, childbirth, or related medical conditions the same for all employment related purposes as other persons not so affected but similar in their ability or inability to work. 29 L.P.R.A. §§ 1322(5), 1323. This law applies to employers of any size. 29 L.P.R.A. § 1322(2).
District of Columbia	A D.C. law requires that employers provide reasonable daily break periods to express breast milk, as needed by the employee. Employers	A D.C. law prohibits employers from refusing to make reasonable accommodations for an employee's limitations related to breastfeeding,	A D.C. law prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, related medical conditions, breastfeeding, or

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	<p>shall make reasonable efforts to provide a sanitary, private, and secure location in close proximity to the work area, other than a bathroom or toilet stall, to express breast milk. D.C. Code Ann. § 2-1402.82. This law applies to all employers, and employers may be excused if compliance would cause undue hardship. D.C. Code Ann. § 2-1402.82.</p>	<p>unless the employer can demonstrate that the accommodation would impose undue hardship. D.C. Code Ann. § 32-1231.03(1).</p> <p>Reasonable accommodations under this law include more frequent or longer breaks, temporary transfer or other job restructuring such as light duty or modified work schedule, relocating employee's work area, and providing private non-bathroom space for expressing milk. D.C. Code Ann. §32-1231.01(2).</p>	<p>reproductive health decisions. D.C. Code Ann. §§ 2-1401.05(a), 2-1402.11. The law also requires employers to treat women affected by pregnancy, childbirth, related medical conditions, or breastfeeding the same for all employment related purposes as other persons not so affected but similar in their ability or inability to work. D.C. Code Ann. § 2-1401.05(b). This law applies to employers with one or more employees. D.C. Code Ann. § 2-1401.02(10).</p>
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