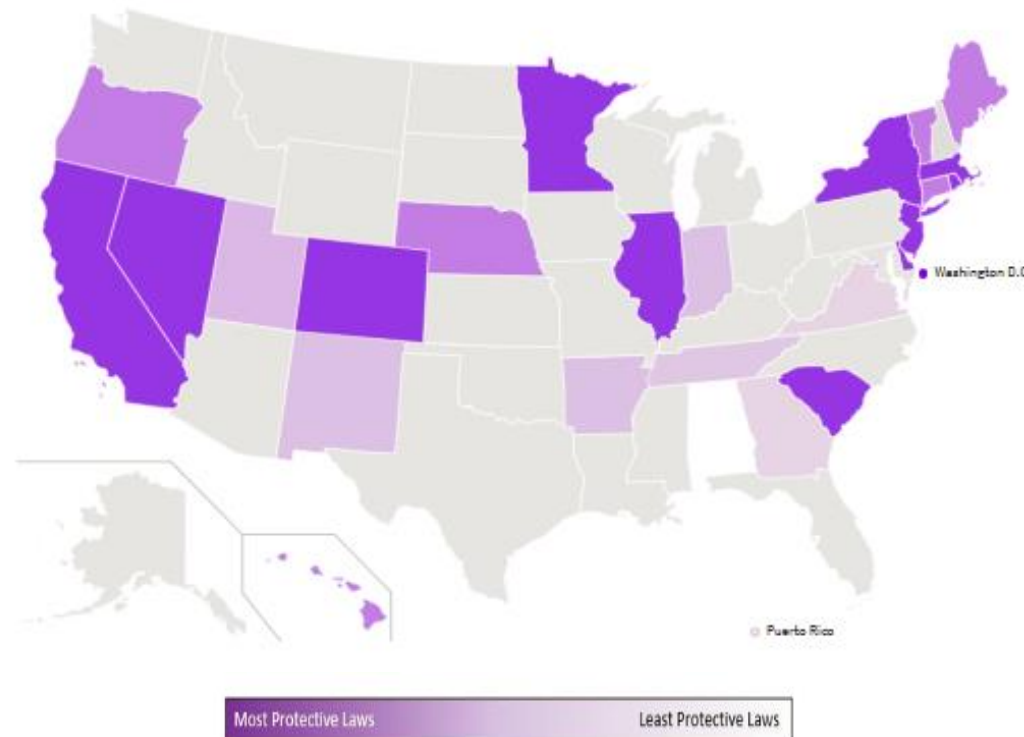





50 State Survey of Workplace Lactation Laws



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 2018. There may be statutes 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 or call 415-703-9276.

Key:  = Not likely covered by state law  = May be covered by state law  = Likely covered by state law




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 law¹ 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).²

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 employers to give employees with lactation-related needs the same ability to address those needs as is given to non-lactating employees under




¹ 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).

² 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 or call 415-703-9276.

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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 statutes 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 who are similar in their ability to work. Courts may interpret such provisions to require employers to accommodate needs related to lactation

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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 statutes in accordance with Title VII of the Civil Rights Act.




Other Relevant Laws: Every state has enacted a statute 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 statutes 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, May 2018. 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 or call 415-703-9276.

State Law




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

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			more 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 statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, or pregnancy-related conditions.
Arizona	No Arizona statute identified that expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Arizona statute identified that expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	An Arizona statute prohibits discrimination on the basis of sex. Ariz. Rev. Stat. Ann. § 41-1463. This statute 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 statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.
Arkansas	An Arkansas statute requires employers to provide break time for employees to express breast milk, and take reasonable efforts to provide	No Arkansas statute identified that expressly requires employers to provide reasonable accommodations	An Arkansas statute prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or medical conditions

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	<p>a private space to express breast milk, 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>for expressing breast milk or breastfeeding.</p>	<p>related to pregnancy. Ark. Code Ann. §§ 16-123-102(1), 16-123-107. This statute applies to employers with nine or more employees. Ark. Code Ann. § 16-123-102(1).</p>
<p>California</p>	<p>A California statute requires employers to provide break time for employees to express breast milk, and take reasonable efforts to provide a private space for expressing breast milk, which cannot be a toilet stall. Cal. Lab. Code §§ 1030-31. Employers may be excused from the break time requirement if compliance would seriously disrupt the operations of the employer. Cal. Lab. Code § 1032. This statute applies to every employer. Cal. Lab Code § 1030.</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). This statute applies to employers with five or more employees. Cal. Gov't Code § 12926(d). 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 statute prohibits discrimination on the basis of breastfeeding or medical conditions related to breastfeeding. Cal. Gov't Code § 12926(r)(1)(C). This statute applies to employers with five or more employees. Cal. Gov't Code § 12926(d).</p>
<p>Colorado</p>	<p>A Colorado statute requires employers to provide break time to express breast milk, and to take reasonable efforts to provide a private space for expressing breast milk, which cannot be a toilet stall.</p>	<p>A Colorado statute requires employers to make reasonable accommodations for health conditions related to pregnancy or the physical recovery from childbirth, unless the employer</p>	<p>A Colorado statute prohibits discrimination on the basis of sex. Colo. Rev. Stat. § 24-34-402. This statute applies to employers with any number of employees. Colo. Rev. Stat. § 24-34-401(3). Colorado</p>

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	<p>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 statute applies to employers with one or more employees. Colo. Rev. Stat. § 8-13.5.103.</p>	<p>demonstrates that the accommodation would impose undue hardship. Colo. Rev. Stat. § 24-34-402.3(1)(a)(I). The statute 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 statute applies to employers with any number of employees. Colo. Rev. Stat. § 24-34-401(3).</p>	<p>courts have interpreted this statute to prohibit discrimination based on pregnancy. <u>Colorado Civil Rights Comm'n v. Travelers Ins. Co.</u>, 759 P.2d 1358, 1366 (Colo. 1988).</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 Colorado statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, or pregnancy-related conditions.</p>
<p>Connecticut</p>	<p>A Connecticut statute creates a right to express breast milk or breastfeed in the workplace during ordinary breaks, but does not require 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 statute 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</p>	<p>A Connecticut statute requires employers to make reasonable accommodations for pregnancy, childbirth, or a related condition, including lactation, unless the employer demonstrates that the accommodation would impose undue hardship. Conn. Gen. Stat. § 46a-60. The statute 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). This statute applies to employers with three or more employees. Conn. Gen. Stat. §46a-51(10).</p>	<p>A Connecticut statute prohibits discrimination on the basis of sex, pregnancy, childbirth, or medical conditions related to pregnancy. Conn. Gen. Stat. §46a-60(a)(7). This statute 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>

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	employees seeking to express breast milk or breastfeed at work. Conn. Gen. Stat. § 31-40w(d).		
Delaware	<p>A Delaware statute 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 statute applies to employers with four or more employees. 19 Del. Code § 710(7).</p>	<p>A Delaware statute 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). The statute 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 statute applies to employers with four or more employees. 19 Del. Code § 710(7).</p>	<p>A Delaware statute expressly prohibits discrimination against employees on the basis of lactation. 19 Del. Code §§ 710(17), 711. The statute 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). This statute applies to employers with four or more employees. 19 Del. Code § 710(7).</p>
Florida	No Florida statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Florida statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	<p>A Florida statute prohibits discrimination on the basis of sex or pregnancy. Fla. Stat. § 760.10. This statute applies to employers with fifteen or more employees. Fla. Stat. § 760.02(7).</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 Florida statute identified</p>

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			expressly prohibits discrimination on the basis of breastfeeding, lactation, childbirth, or medical conditions related to pregnancy.
Georgia	A Georgia statute provides that employers <i>may</i> provide break time for employees to express breast milk, and <i>may</i> take reasonable efforts a private room, other than a toilet stall, to express breast milk. This statute applies to employers with one or more employees, and employers may be excused from the break time provision if compliance would unduly disrupt the operations of the employer. Ga. Code Ann. § 34-1-6.	No Georgia statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Georgia statute prohibits sex discrimination in <i>public</i> employment. Ga. Code. Ann. § 45-19-29. No Georgia statute 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 Georgia statute identified expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or related medical conditions.
Hawaii	A Hawaii statute 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 statute will not apply if an employer has fewer than twenty employees and shows the	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 statute applies to employers with one or more employees. Haw. Rev. Stat. § 378-1.	A Hawaii statute expressly prohibits discrimination against employees who choose to express breast milk or breastfeed at the workplace. Haw. Rev. Stat. § 378-2(7). This statute applies to employers with one or more employees. Haw. Rev. Stat. § 378-1.

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	requirements impose undue hardship. Haw. Rev. Stat. §378-92(c).		
Idaho	No Idaho statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Idaho statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	An Idaho law prohibits sex discrimination. Idaho Code Ann. § 67-5909. Idaho courts have interpreted this statute 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 and pregnancy to include the prohibition of discrimination on the basis of breastfeeding or lactation. No Idaho statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, childbirth, or pregnancy-related conditions.
Illinois	An Illinois statute requires employers to provide reasonable break time to express breast milk. 802 Ill. Comp. Stat. § 260/10. The statute 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 statute applies to employers with five or more employees, and employers may be excused from the break time requirement if compliance would	An Illinois statute 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 statute provides that reasonable accommodations may include, but are not limited to, private non-bathroom space for expressing breast milk and	An Illinois statute 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 statute 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-

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	unduly disrupt the operations of the employer. 802 Ill. Comp. Stat. §§ 260/5, 260/10.	breastfeeding, light duty, temporary transfers to less strenuous or hazardous position, and leave. 775 Ill. Comp. Stat. § 5/2-102(J). This statute applies to employers with fifteen or more employees. 775 Ill. Comp. Stat. § 5/2-101(B).	102(I). This statute applies to employers with fifteen or more employees. 775 Ill. Comp. Stat. § 5/2-101(B).
Indiana	An Indiana statute 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 statute also requires employers to provide or allow employees to provide cold storage space for breast milk. Ind. Code § 22-2-14-2. This statute applies to employers with twenty-five or more employees. Ind. Code § 22-2-14-1. No statute identified requiring employer to provide break time.	No Indiana statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	An Indiana statute prohibits discrimination on the basis of sex. Ind. Code § 22-9-1-2. This statute applies to all employers with six or more employees. Ind. Code § 22-9-1-3(h). 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 statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.
Iowa	No Iowa statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Iowa statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	An Iowa statute prohibits discrimination on the basis of sex, pregnancy, childbirth, or disabilities caused by pregnancy or childbirth. Iowa Code § 216.6(2). This statute applies to employers with four or more employees. Iowa Code § 216.6(6).

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			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 statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, or pregnancy-related conditions.
Kansas	No Kansas statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Kansas statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	<p>A Kansas statute prohibits discrimination on the basis of sex or pregnancy. Kan. Stat. Ann. § 44-1001; Kan. Admin. Regs. § 21-32-6. This statute 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 statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, childbirth, or pregnancy-related conditions.</p>
Kentucky	No Kentucky statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Kentucky statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Kentucky statute prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or medical conditions related to pregnancy. Ky. Rev. Stat.

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			§ 344.030. The statute 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 statute applies to employers with eight or more employees. Ky. Rev. Stat. § 344.030(2).
Louisiana	<p>A Louisiana statute 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 statute identified requiring non-public-school employers to provide break time or space.</p>	No Louisiana statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Louisiana statute prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or medical conditions related to pregnancy. La. Rev. Stat. § 23:342. The statute 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 statute applies to employers with twenty-five or more employees. La. Rev. Stat. § 23:341.
Maine	A Maine statute requires that employers provide reasonable break time to express breast milk, and make reasonable efforts to provide a clean, private room or other location to	No Maine statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Maine statute that applies to all employers prohibits discrimination against an employee for choosing to express breast milk in the

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	<p>express breast milk, other than a bathroom. Me. Rev. Stat. Ann. Tit. 26, § 604. This statute applies to all private and public employers. Me. Rev. Stat. Ann. Tit. 26 § 603(1)(A).</p>		<p>workplace. Me. Rev. Stat. Ann. Tit. 26 § 603(1)(A).</p> <p>Another Maine statute 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. The statute also prohibits employers from treating pregnant women who are able to 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, 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 statute applies to employers with any number of employees. Me. Rev. Stat. Ann. Tit. 5 § 4553.</p>
Maryland	<p>No Maryland statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.</p>	<p>A Maryland statute requires that employers treat disabilities caused or contributed to by pregnancy or childbirth as temporary disabilities, unless the employer demonstrates that the accommodation would impose undue hardship. Md. Code Ann., State Gov't § 20-609(b). This statute applies to employers with</p>	<p>A Maryland statute prohibits discrimination on the basis of sex. Md. Code Ann., State Gov't § 20-606. This statute applies to employers with fifteen or more employees. Md. Code Ann., State Gov't § 20-601(d).</p>

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		fifteen or more employees. Md. Code Ann., State Gov't § 20-601(d).	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 statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.
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 statute applies to employers with six or more employees. Mass. Gen. Laws ch. 151b, § 1(5).	A Massachusetts statute 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 statute applies to employers with six or more employees. Mass. Gen. Laws ch. 151b, § 1(5).	A Massachusetts statute prohibits discrimination on the basis of sex, including lactation or the need to express breast milk. Mass. Gen. Laws ch. 151B, §4. This statute applies to employers with six or more employees. Mass. Gen. Laws ch. 151b, § 1(5).
Michigan	No Michigan statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Michigan statute identified expressly requires employers to provide reasonable accommodations	A Michigan statute prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or medical conditions

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		<p>for expressing breast milk or breastfeeding.</p>	<p>related to pregnancy or childbirth. Mich. Comp. Laws §§ 37.2201(d), 37.2202.</p> <p>The statute also prohibits employers from treating an individual affected by pregnancy, childbirth, or a related medical condition differently for any 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 statute applies to employers with one or more employees. Mich. Comp. Laws § 37.2201(a).</p>
<p>Minnesota</p>	<p>A Minnesota statute requires employers to provide reasonable break time to express breast milk. Minn. Stat. § 181.939(a). The statute 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 statute applies to employers with one or more employees, and employers may be excused from the break time</p>	<p>A Minnesota statute 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 statute may include, but is not limited to, frequent restroom breaks and temporary transfers to a less strenuous or hazardous position. Minn. Stat. § 181.9414. This statute</p>	<p>A Minnesota statute 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 statute 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</p>

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	<p>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>applies to employers with twenty-one or more employees. Minn. Stat. § 181.940 subd. 3.</p>	<p>breastfeeding or lactation. No Minnesota statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, or pregnancy-related conditions.</p>
Mississippi	<p>A Mississippi statute 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 statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.</p>	<p>No Mississippi statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.</p>	<p>A Mississippi statute prohibits discrimination on the basis of sex in <i>public</i> employment. Miss. Stat. § 25-9-149. No Mississippi statute identified that prohibits discrimination on the basis of sex, breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions in private employment.</p>
Missouri	<p>No Missouri statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.</p>	<p>No Missouri statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.</p>	<p>A Missouri statute prohibits discrimination on the basis of sex. Mo. Rev. Stat. § 213.055. This statute applies to employers with six or more employees. Mo. Rev. Stat. § 213.010(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 Missouri statute identified that</p>

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			expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.
Montana	<p>A Montana statute requires that public employers provide reasonable break time to express breast milk, if breaks are currently allowed; If breaks are not allowed, the public employer must consider each case and make accommodations as possible. § 39-2-217. A Montana statute also requires public 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 statute identified expressly requires private employers to provide break time or space to express breast milk or breastfeed.</p>	No Montana statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	<p>A Montana statute prohibits discrimination on the basis of sex. Mont. Code Ann. § 49-2-303. This statute applies to employers with one or 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 statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.</p>
Nebraska	A Nebraska statute 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	A Nebraska statute 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	A Nebraska statute 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

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	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. Neb. Rev. Stat. Ann. §§ 48-1102(11), 48-1107.02(2)(d).	condition, unless the employer demonstrates that the accommodation would impose undue hardship. Neb. Rev. Stat. Ann. § 48-1107.02(2)(d). Reasonable accommodations include break time and appropriate facilities for breast-feeding or expressing breast milk, job restructuring, light-duty assignments, and temporary transfer to less strenuous or hazardous work. Neb. Rev. Stat. Ann. § 48-1102(11).	statute applies to employers with fifteen or more employees. Neb. Rev. Stat. Ann. § 48-1102(2).
Nevada	A Nevada statute requires employers to provide reasonable accommodations to an employee for lactation, the need to express breast milk, 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.____ [Added by Acts 2017, ch. 319, §§3.3, 3.7, 5, 6, 7].	A Nevada statute requires employers to provide reasonable accommodations to an employee for conditions related to pregnancy, childbirth, or a related medical condition, including lactation, the need to express breast milk, mastitis, or other lactation-related medical conditions, unless the employer demonstrates that the accommodation would impose undue hardship. Nev. Rev. Stat. Ann. § 613.____ [Added by Acts 2017, ch. 319, §§3.3, 3.7, 5]. Reasonable accommodations under this statute may include, but are not limited to, providing seating, revising break schedules, providing space other than a bathroom to express breast milk, authorizing light	A Nevada statute prohibits discrimination against employees on the basis of sex. Nev. Rev. Stat. §§ 613.330. This statute applies to employers with fifteen or more employees. The Nevada Nev. Rev. Stat. § 613.310. Another Nevada statute 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.____ [Added by Acts 2017, ch. 319, §§3.3, 3.7, 5].

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		duty, and temporary transfers to less strenuous or hazardous work. Nev. Rev. Stat. SB § 253 § 6. This statute applies to employers with fifteen or more employees. Nev. Rev. Stat. SB § 253 § 3, Nev. Rev. Stat. § 613.310.	
New Hampshire	No New Hampshire statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No New Hampshire statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A New Hampshire statute prohibits discrimination against employees on the basis of sex, pregnancy, or medical conditions that result from pregnancy. N.H. Rev. Stat. Ann. § 354-A:7. The statute 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 statute applies to employers with six or more employees. N.H. Rev. Stat. Ann. § 354-A:2(VII).
New Jersey	A New Jersey statute 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 statute applies to	A New Jersey statute 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 statute include, among others, reasonable break time each day and a suitable	A New Jersey statute 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 statute also prohibits employers from treating women

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	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).	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 hazardous work. N.J. Stat. Ann. § 10:5-12(s). This statute applies to employers with any number of employees. N.J. Stat. Ann. § 10:5-5(e).	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 statute applies to employers with any number of employees. N.J. Stat. Ann. § 10:5-5(e).
New Mexico	A New Mexico statute 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 statute applies to employers with four or more employees. N.M. Stat. Ann. § 28-1-2(B).	No New Mexico statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A New Mexico statute 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 statute 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 statute applies to employers with four or more employees. N.M. Stat. Ann. § 28-1-2(B).
New York	A New York statute requires that employers provide reasonable break time to express breast milk, and make reasonable efforts to provide a private location in close proximity to	A New York statute prohibits employers from refusing to make reasonable accommodations for pregnancy-related conditions, including, but not limited to, job	A New York statute prohibits discrimination on the basis of sex. N.Y. Exec. Law § 296. This statute applies to employers with four or more employees. N.Y. Exec. Law §

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	the work area to express breast milk. N.Y. Lab. Law § 206-c. This statute applies to employers with any number of employees. N.Y. Lab. Law § 2(6).	restructuring and modified work schedules, unless the employer demonstrates that the accommodation would impose undue hardship. N.Y. Exec. Law § 296(3)(a). This statute applies to employers with four or more employees. N.Y. Exec. Law § 292.	292. 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. Also, a New York statute 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.
North Carolina	No North Carolina statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No North Carolina statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A North Carolina statute prohibits discrimination on the basis of biological sex. N.C. Gen. Stat. § 143-422.2. This statute applies to employers with fifteen or more employees. N.C. Gen. Stat. § 143-422.2. 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 statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.
North Dakota	No North Dakota statute identified expressly requires employers to	No North Dakota statute identified expressly requires employers to	A North Dakota statute prohibits discrimination on the basis of sex,

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	provide break time or space to express breast milk or breastfeed.	provide reasonable accommodations for expressing breast milk or breastfeeding.	<p>pregnancy, childbirth, and disabilities related to pregnancy or childbirth. N.D. Cent. Code §§ 14-02.4-03, 14-02.4-02(18). This statute 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 statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, or pregnancy-related conditions that are not disabilities.</p>
Ohio	No Ohio statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Ohio statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	An Ohio statute prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or related medical conditions. Ohio Rev. Code §§ 4112.01(B), 4112.02(A). The statute 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 §§ 4112.01(B). This statute applies to employers with four or more

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			employees. Ohio Rev. Code § 4112.01(2).
Oklahoma	An Oklahoma statute 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 statute says that employers may be excused from the break time provision if compliance would cause undue hardship. This statute applies to employers with one or more employees. 40 Ok. Stat. § 40-435.	No Oklahoma statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	An Oklahoma statute 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 statute 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 statute applies to employers with one or employee. 25 Ok. Stat. § 25-1301.
Oregon	An Oregon statute requires that employers provide reasonable break time to express breast milk for a child under 18 months of age, unless to do so would impose an undue hardship. The statute also requires employers to make reasonable efforts to provide a private location in close proximity to the work area, other than a public restroom or toilet stall, to express breast milk. This statute applies to employers with twenty-five or more employees. Or. Rev. Stat. § 653.077. The law excludes some classes of	An Oregon statute states than an employer <i>may</i> allow a temporary change of job duties if the employee’s regular job duties do not allow her to express milk. Or. Rev. Stat. § 653.077	An Oregon statute 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 statute 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 similar in their ability or inability to work by reason of physical

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	<p>employees including agricultural workers, domestic workers, and federal government employees. The complete list can be found here. Or. Rev. Stat. § 653.020.</p> <p>The Oregon statute 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).</p>		<p>condition. Or. Rev. Stat. § 659A.029. This statute applies to employers with one or more employees. Or. Rev. Stat. § 659A.001(4)(a).</p>
<p>Pennsylvania</p>	<p>No Pennsylvania statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.</p>	<p>No Pennsylvania statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.</p>	<p>A Pennsylvania statute prohibits discrimination on the basis of sex. 43 Pa. Cons. Stat. § 955. This statute applies to employers with four or more employees. 43 Pa. Cons. Stat. § 954.</p> <p>Another Pennsylvania statute prohibits employer policies which exclude applicants or employees because of pregnancy. 16 Pa. Code § 41.102. No Pennsylvania statute identified prohibits discrimination in general on the basis of pregnancy.</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.</p>

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			No Pennsylvania statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, or pregnancy-related conditions.
Rhode Island	<p>A Rhode Island statute 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 statute applies to employers with four or more employees. R.I. Gen. Laws § 28-5-6(8).</p> <p>A different Rhode Island statute, 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 reasonable efforts provide a private, secure, and sanitary location in close proximity to the work area, other than a toilet stall, to breastfeed</p>	<p>A Rhode Island statute 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 statute include, but are not limited to, break time and private non-bathroom space for expressing breast milk, more frequent or longer breaks, seating, job restructuring, modified work schedule, light duty, and temporary transfers to less strenuous or hazardous work. R.I. Gen. Laws § 28-5-7.4(b)(1). This statute applies to employers with four or more employees. R.I. Gen. Laws § 28-5-6(8).</p>	<p>A Rhode Island statute 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 statute applies to employers with four or more employees. R.I. Gen. Laws § 28-5-6(8).</p>

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	or express breast milk. R.I. Gen. Laws § 23-13.2-1.		
South Carolina	<p>(Effective May 18, 2018) A South Carolina statute 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 statute may include providing a private place, other than a bathroom stall for the purpose of expressing milk and modifying work schedules.</p>	<p>(Effective May 18, 2018) A South Carolina statute 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 statute 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 reasonable accommodation can be provided.</p>	<p>A South Carolina statute 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 statute 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 statute applies to employers with fifteen or more employees. S.C. Code Ann. § 1-13-30(e).</p>

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		This statute applies to employers with fifteen or more employees. S.C. Code Ann. § 1-13-30(e).	
South Dakota	No South Dakota statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No South Dakota statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	<p>A South Dakota statute prohibits discrimination on the basis of sex. S.D. Codified Laws § 20-13-10. This statute 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 statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.</p>
Tennessee	A Tennessee statute requires that employers provide reasonable break time to express breast milk, unless to do so would unduly disrupt the employer's operations. The statute also requires employers to make reasonable efforts provide a private location in close proximity to the work area, other than a toilet stall, to express breast milk. This statute applies to employers with one or	No Tennessee statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	<p>A Tennessee statute prohibits discrimination on the basis of sex. Tenn. Code Ann. § 4-21-401. This statute 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 of sex to include the prohibition of discrimination on the basis of breastfeeding or lactation. No</p>

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	more employees. Tenn. Code. Ann. § 50-1-305.		Tennessee statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.
Texas	<p>A Texas statute requires public 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>	A Texas statute requires public employers make reasonable accommodations for the needs of employees who express breast milk. Tex. Gov't Code § 619.003(b).	A Texas statute prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or related medical conditions. Tex. Lab. Code §§ 21.051, 21.106. The statute 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 statute applies to employers with fifteen or more employees. Tex. Lab. Code §21.001(8).
Utah	A Utah statute 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	A Utah statute 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 statute applies to public employers of all sizes, and private employers with fifteen or	A Utah statute 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 statute applies to employers with fifteen or more employees. Utah Code Ann. § 34A-5-102(1)(i)(i)(D).

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	accommodation is medically advisable. Utah Code Ann. § 34A-5-106(7). This statute applies to employers with fifteen or more employees. Utah Code Ann. § 34A-5-102(1)(i)(i)(D).	more employees. Utah Code Ann. § 34A-5-102(1)(i)(i)(D).	
Vermont	A Vermont statute 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 operations. Employers may not retaliate against an employee for attempting to exercise her rights under this law. 21 V.S.A. § 305.21. This statute applies to employers with one or more employees. 21 V.S.A. § 302.	A Vermont statute 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 statute applies to employers with one or more employees. 21 V.S.A. § 495d(1).	A Vermont statute prohibits discrimination on the basis of sex. 21 V.S.A. § 495. This statute 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. (Lavalley v. E.B. & A.C. Whiting Co., 166 Vt. 205, 207, 692 A.2d 367, 368 (1997)). 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 statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.
Virginia	No Virginia statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed, other than local school districts.	No Virginia statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Virginia statute prohibits employers from discriminating against employees on the basis of sex, pregnancy, childbirth, or related medical conditions, including lactation. The statute also requires that women affected by pregnancy,

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	A Virginia statute requires local school boards to adopt a policy setting aside 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		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.
Washington	No Washington statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	A Washington statute prohibits employers from refusing to make reasonable accommodations for pregnancy or pregnancy-related health conditions, unless the employer demonstrates that the accommodation would impose undue hardship. Accommodations may include, but are not limited to, job restructuring, modified work schedules, reassignment to a vacant position, modifying an employee's workstation or equipment, providing seating, and a temporary transfer to a less strenuous or hazardous position. This statute applies to employers with 15 or more employees. Wash. Rev. Code § 43.10.005.	A Washington statute 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 statute applies to employers with eight or more employees. Wash. Rev. Code § 49.60.040(11).
West Virginia	No West Virginia statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	A West Virginia statute prohibits employers from refusing to make reasonable accommodation for known limitations related to pregnancy, childbirth or related	A West Virginia statute prohibits discrimination on the basis of sex. W. Va. Code Ann. § 5-11-9. This statute applies to employers with twelve or more employees. W. Va.

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		medical conditions, unless the employer demonstrates that the accommodation would impose undue hardship. W. Va. Code Ann. § 5-11b-2. This statute applies to employers with twelve or more employees. W. Va. Code Ann. § 5-11-3(d).	Code Ann. § 5-11-3(d). No West Virginia statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, pregnancy, childbirth, or pregnancy-related conditions.
Wisconsin	No Wisconsin statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Wisconsin statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Wisconsin statute prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or related medical conditions. Wis. Stat. §111.36(1)(c). This statute applies to employers with one or more employees. Wis. Stat. §111.32(6)(a).
Wyoming	No Wyoming statute identified expressly requires employers to provide break time or space to express breast milk or breastfeed.	No Wyoming statute identified expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding.	A Wyoming statute prohibits discrimination on the basis of sex and pregnancy. Wyo. Stat. Ann. § 27-9-105(i). This statute applies to employers with two or more employees. Wyo. Stat. Ann. § 27-9-102(b). No Wyoming statute identified that expressly prohibits discrimination on the basis of breastfeeding, lactation, or pregnancy-related conditions.
Puerto Rico	A Puerto Rico statute requires employers to provide two or three breaks, totaling one hour for each full-time workday, for nursing	No Puerto Rico statute identified expressly requires employers to provide reasonable accommodations	A Puerto Rico statute prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, or medical conditions

Key: = Not likely covered by state law = May be covered by state law = Likely covered by state law

	<p>mothers to express breast milk or to breastfeed at on-site childcare. Small businesses must only provide employees with half an hour during the work day. 29 L.P.R.A. § 478a.</p> <p><i>Note, this law was amended in 2017. Updated text coming soon.</i></p>	<p>for expressing breast milk or breastfeeding.</p>	<p>related to pregnancy. The statute 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 statute applies to employers of any size. 29 L.P.R.A. § 1322(2).</p>
<p>District of Columbia</p>	<p>A D.C. statute requires that employers provide reasonable daily break periods to express breast milk, as needed by the employee. Employers 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 statute applies to all employers, and employers may be excused if compliance would cause undue hardship. D.C. Code Ann. § 2-1402.82.</p>	<p>A D.C. statute prohibits employers from refusing to make reasonable accommodations to the known limitations related to breastfeeding for an employee, unless the employer can demonstrate that the accommodation would impose undue hardship. D.C. Code Ann. § 32-1231.03(1). Reasonable accommodations under this statute include more frequent or longer breaks, seating, temporary transfer to less strenuous or hazardous position 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>A D.C. statute prohibits discrimination against employees on the basis of sex, pregnancy, childbirth, related medical conditions, breastfeeding, or reproductive health decisions. D.C. Code Ann. §§ 2-1401.05(a), 2-1402.11. The statute 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 statute applies to employers with one or more employees. D.C. Code Ann. § 2-1401.02(10).</p>