

## Legislative Update FEBRUARY 2025\*

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### **RIGHTS OF EMPLOYEES IN NEW YORK STATE TO EXPRESS MILK AT WORK**

The New York State Department of Labor and the New York State Department of Health are reminding employees and employers in the State of New York that working parents are entitled to paid leave for expressing breast milk at work and that New York State labor law grants parents the right to express milk at work for up to three years following childbirth.

By law, employees are entitled to 30 minutes of paid break time to express milk, in addition to their regular mealtime and any other paid breaks.

Employers must provide a private, designated space for pumping, which:

- Cannot be a restroom or toilet stall
- Must have a functioning lock or sign warning the location is in use and not accessible to others
- Must contain a chair and small table or other flat surface
- Be well lit
- Provide an electrical outlet
- Be close to accessible, clean water
- Must be shielded from view and inaccessible to other employees, customers, or the public while in use

Employees are not required to use the designated space, but employers must still provide an appropriate private area.

For more information on employer obligations to inform employees of milk expression rights, see [https://dol.ny.gov/system/files/documents/2024/09/p705-policy-on-the-rights-of-employees-to-express-breast-milk-in-the-workplace\\_-24-1.pdf](https://dol.ny.gov/system/files/documents/2024/09/p705-policy-on-the-rights-of-employees-to-express-breast-milk-in-the-workplace_-24-1.pdf).

For further information on employee rights related to expressing milk in the workplace, visit [https://www.health.ny.gov/community/pregnancy/breastfeeding/right\\_to\\_breastfeed.htm](https://www.health.ny.gov/community/pregnancy/breastfeeding/right_to_breastfeed.htm).

Sources: New York State Department of Labor and New York State Department of Health

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