

Legislative Update JUNE 2024*

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NEW YORK EMPLOYERS MUST OFFER PAID BREAK TIME FOR EMPLOYEES WHO EXPRESS BREAST MILK IN THE WORKPLACE BEGINNING JUNE 19, 2024

The New York State Department of Labor is reminding employers in the State of New York of an important update regarding breast milk expression in the workplace. Effective June 19, 2024, the following changes to New York Labor Law §206-c concerning breast milk expression take effect:

- Employers must give employees 30 minutes of paid break time when employees reasonably need to express breast milk.
- Employees can take shorter breaks if they choose.
- Employees may also use their regular paid break time or meal time to pump breast milk if they would like, or if they need additional time beyond 30 minutes.
- Employees can also choose to take breaks for breast milk expression right before or after their regularly scheduled meal time or paid break periods.
- Retaliation against an employee choosing to express breast milk at work is prohibited.

Prior to this amendment, employers were only required to provide “reasonable unpaid” break time. All employees have the right to express breast milk in the workplace regardless of the size of their employer or the industry they work in. Employers are required to provide a private space, that is not a bathroom, for any employee wishing to express breast milk in the workplace. The expansion of the law to include paid break time recognizes the importance of parent and child health, and aims to create a more supportive and accommodating environment for nursing employees. Since June 2023, employers are also required to tell employees about their rights regarding breast milk expression by providing them with the NYSDOL Policy on the Rights of Employees to Express Breast Milk in the Workplace when they start a new job, which is located at the following website: https://dol.ny.gov/system/files/documents/2024/06/p705-policy-on-the-rights-of-employees-to-express-breast-milk-in-the-workplace_-24-1.pdf?utm_medium=email&utm_source=govdelivery.

More information concerning this law can be found at https://dol.ny.gov/breast-milk-expression-workplace?utm_medium=email&utm_source=govdelivery. Additional information for employers can be found at https://dol.ny.gov/system/files/documents/2024/06/p691-to-pump-breast-milk-at-work-information-for-employers.pdf?utm_medium=email&utm_source=govdelivery.

Source: New York State Department of Labor (NYSDOL)

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