

New York's New Nursing Mothers Law: What You Need to Know

FEATURED ATTORNEY



Rachel Demarest Gold

Partner

From the desk of Rachel Demarest Gold

The New Nursing Mothers Law will take effect June 7, 2023.

Though facilities and breaks for nursing mothers have been the statewide law for some time, the law that takes effect June 7 imposes several very specific obligations on employers, including notice to all employees of those responsibilities and their rights.

A sample of what will need to go into that Notice is here:

<https://dol.ny.gov/system/files/documents/2021/03/fact-sheet-your-right-as-a-nursing-mother-to-pump-breast-milk-at-work-p708.pdf>

In addition to the notice, nursing employees are entitled to unpaid breaks as frequently as needed for up to three years after they give birth. If your workers are hourly, make sure they clock out when they take these breaks. They are not paid, but you have to be able to demonstrate that the break was taken and for how long. In addition, you have to allow employees to make up the time they lose to the breaks either before or after their shift, if the employer is open during that time. As for facilities, Employers must be provide a private room – separate from the bathroom -that contains a chair and small table, and should have both an electrical outlet and clean water supply. If there is refrigeration in the workplace, nursing mothers must be granted access for storage.

While these are many of the highlights, Employers can find a Fact Sheet from DOL with more about the law here: <https://dol.ny.gov/system/files/documents/2021/03/fact-sheet-rights-of-nursingmothers-to-pump-breast-milk-at-work-infonation-for-employers-p709.pdf>.

All of these rules need to be on every Employer's radar, but how they should be implemented for each business and location must be individually assessed. Please let us know if we can help.

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