

HOT TOPIC

Lactation Breaks and Pregnancy Accommodations: New Employer Requirements

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NOTE: The information set forth in these materials is intended to provide an outline of the law existing as of the presentation date. It is not intended as, nor should it be considered, “legal advice.” If you are presented with a specific issue, you should consult with legal counsel.



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New Protection for Nursing Mothers

Minn. Stat. § 181.939

- Applies to employers with one or more employees.
- Requirement is effective for twelve months following birth of a child.
- Nursing and lactating mothers must receive break times to express milk.
 - *Change to prior law that required only a single lactation break during the workday.*

New Protection for Nursing Mothers

Minn. Stat. § 181.939

- Time expressing milk at work is now a paid break time.
- Break times must, if possible, run with other regular unpaid breaks, including meal breaks.
- Does not convert unpaid break time, such as a meal break, to paid break.
- Effective January 1, 2022.

New Protection for Nursing Mothers

Minn. Stat. § 181.939

REMINDER

Lactation room must be a location other than a bathroom or bathroom stall, must be shielded from view and free from intrusion from others, and must have electrical outlet where employee can express milk in privacy.

Pregnancy Accommodations

Minn. Stat. § 181.939

- Expands the protections for a pregnant employee.
- Pregnant employees are entitled to the following accommodations:
 - 1) more frequent restroom, food, and water breaks
 - 2) seating
 - 3) limits on lifting over 20 pounds

Pregnancy Accommodations

Minn. Stat. § 181.939

- Employer may not require advice from a licensed health care provider or certified doula for accommodations.
- Employer may not claim these accommodations constitute an undue hardship.
- Employees are immediately eligible for this accommodation upon hire (no waiting period to be eligible).
- Applies to employers with 15 or more employees.
- Effective January 1, 2022.

Questions?

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