

NEW MOTHERS:

“Express Yourself” & Pump Breast Milk at Work!



Mothers who return to work after having a baby have the right under New York law (Labor Law Sec. 206-c) to pump breast milk at work for up to three years following childbirth.

You have the right to take reasonable unpaid breaks at work so that you can pump your breast milk. You also are allowed to use your paid break and meal times for this purpose, but you are not required to.

Your employer is required to make reasonable efforts to provide a private room or other location that is close to your work area that you may use for this purpose. N.Y. DOL guidelines say that a bathroom is not an acceptable private room for pumping breast milk.

Your employer may not discriminate against you based on your decision to express breast milk at work.

For more information about federal and state law regarding the right to express milk at work see:

U.S. Department of Labor

<http://www.dol.gov/whd/regs/compliance/whdfs73.pdf>

N.Y. Department of Labor

<http://labor.ny.gov/workerprotection/laborstandards/nursing-mothers.shtm>

N.Y. Department of Health

http://www.health.ny.gov/prevention/nutrition/wic/breastfeeding/back_to_work_moms.htm **and**
<http://www.health.ny.gov/community/pregnancy/breastfeeding>

“Making it Work Toolkit: For Moms” available at
<http://www.breastfeedingpartners.org/images/pdf/ForMomsFINAL.pdf>

To report a violation, write the New York City District Office of the N.Y. Department of Labor’s Division of Labor Standards, 75 Varick Street, New York, NY 10013 or call 212.775.3880.

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Prepared by the New York City Bar Association, Committee on Sex and Law