

Nursing Employees Workplace Protections

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NURSING EMPLOYEES

WORKPLACE PROTECTIONS

What rights do I have to take breaks to pump at work?

The Fair Labor Standards Act (FLSA) requires employers to provide reasonable break time for an employee to express breast milk for their nursing child for one year after the child's birth. The law requires employers to allow eligible employees reasonable break time to pump whenever needed. Employees are entitled to a private place to pump at work — a functional space that is shielded from view, free from intrusion, and NOT a bathroom. An employer may not deny an eligible employee a needed break to pump.

The Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act) extended the right under the FLSA to reasonable break time and a private space to express breast milk to most nursing employees during their child's first year.

Am I eligible to take breaks to pump at work?

Most FLSA-covered employees have the right to reasonable break time and an appropriate private space to express breast milk for a nursing child for up to one year after the child's birth. However, in limited circumstances, employees may not be eligible for these protections. Certain employees of airlines, railroads, and motorcoach carriers are not covered by the pump at work protections under the FLSA. Additionally, employers with fewer than 50 employees that can demonstrate that compliance with the provision would be an undue hardship may claim an exemption from these requirements.

Employees may also have pump at work protections under State or local laws.

Employers cannot retaliate against an employee for asking about their rights, even if an employee is not eligible to take breaks to pump at work.

Where can I learn more?

To learn more about [your right to pump at work](http://www.dol.gov/pump-at-work), visit the U.S. Department of Labor's Wage and Hour Division's website at <http://www.dol.gov/pump-at-work> and/or call their toll-free information helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).



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