

Minnesota Legislature Amends Lactation Breaks and Pregnancy Accommodation Provisions

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July 8, 2021

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As part of the Omnibus Jobs and Economic Growth Finance and Policy Bill, Minnesota Governor Tim Walz has approved an amendment relating to pregnancy accommodations and barring reducing compensation for lactation breaks, among other changes. The amendment goes into effect on January 1, 2022.

Under Minnesota law, employers must provide employees who need to express breast milk for their infant child reasonable break times each day. The amendment prohibits an employer from reducing an employee's compensation for time used for the purpose of expressing milk. The amendment also includes language that limits an employer's obligation to the 12 months following the birth of the child. Employers may still ask that these lactation breaks be scheduled over regularly scheduled rest or meal breaks; but if not, they cannot dock pay.

Additionally, the amendment combined Minnesota's laws related to nursing mothers, lactating employees, and pregnancy accommodations into one section, Minnesota Statute Section 181.939. The law on pregnancy accommodations remains largely the same; however, under the amendment, coverage applies to all employers with at least 15 employees (not at least 21) and there are no longer any length of time or average number of hours per week an employee must satisfy to qualify for the accommodation rights and protections under the statute.

If you have questions or need assistance, please reach out to a Jackson Lewis attorney.

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