

Tom Bottem, Director

Minnesota Senate Building
95 University Ave. W. Suite 3300
ST. PAUL, MN 55155-1800
(651) 296-4791
www.senate.mn/scrfa

S.F. No. 1180 – Nursing and Lactating Employees and Pregnancy Accommodations

Author: Senator Julia Coleman

Prepared by: Carlton Doyle Fontaine, Senate Counsel (651/296-4395)

Date: March 17, 2021

S.F. 1180 expands the applicability of pregnancy accommodations and requires paid break times for nursing and lactating employees. Reorganizes the section on nursing mothers to reference lactating employees and include pregnancy accommodations, which is being repealed as a stand-alone section of law.

Section 1. Nursing mothers, lactating employees, and pregnancy accommodations. Subdivision 1. **Nursing mothers.** Requires an employer with one or more employees to provide nursing and lactating employees with paid break time to express milk. Removes language allowing an employer to opt out if it would cause undue disruption to employment operations. Allows, but does not require, an employee to use existing break times provided by the employer to express milk.

Subd. 2. Pregnancy accommodations. Requires an employer with one or more employees to provide reasonable accommodations for health conditions related to pregnancy or childbirth, to a requesting employee, unless the employer shows it would be an undue hardship. Provides a list of accommodations that do not require the advice of the employee's licensed health care provider or certified doula. Provides examples of reasonable accommodations. Specifies that an employee is not required to request leave or accept an accommodation. Current law on pregnancy accommodations, which is being repealed by section 2 of the bill, applies to employers with 21 or more employees.

Subd. 3. Employer. Creates a subdivision for the definition of "employer" as it applies to the section.

Subd. 4. No employer retribution. Creates a subdivision prohibiting retaliation against an employee for requesting pregnancy accommodations or break times for lactation.

Section 2. Repealer. Repeals the existing pregnancy accommodation statute, which is now included in the section of law being amended in the bill.