

BREAST FEEDING MOTHERS GET A BREAK

31. March 2010

So, is everybody Health-Care-Reformed out yet? Don't you worry, this is just the beginning. It doesn't matter whether you are (were?) for or against the health care reform bill, it's here. And when the President signed the Patient Protection and Affordable Care Act into law last week he gave employers a lot of reasons to pay attention. Allow me to give you an example.

Contained among the 906 pages of the Act are 3 little paragraphs that are going to have an immediate impact on employers. Section 4207 of the Act amends Section 7 of the Fair Labor Standards Act as follows:

Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) is amended by adding at the end the following:

“(r)(1) An employer shall provide—

“(A) a reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk; and

“(B) a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.

“(2) An employer shall not be required to compensate an employee receiving reasonable break time under paragraph (1) for any work time spent for such purpose.

“(3) An employer that employs less than 50 employees shall not be subject to the requirements of this subsection, if such requirements would impose an undue hardship by causing the employer significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer's business.

OK, now everyone get a copy of the Act and get reading.