



Mineral



Question of the Week

April 16, 2025

Question

What are we required to provide for an employee who asks to pump breast milk at work?

ANSWER

The federal Fair Labor Standards Act, amended by the Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act), requires all employers to provide reasonable break time and a private, non-bathroom space for nursing employees to express breast milk. It needs to be shielded from view and free from intrusion from coworkers and the public. The space also needs to be functional for pumping and available whenever a nursing employee needs it.

When employers provide paid breaks, an employee who uses that break time to pump needs to be compensated in the same way that other employees are compensated for break time. However, if the employee needs additional break time to pump, the extra time doesn't have to be paid.

These requirements apply for one year after the birth of the child and apply to all employees regardless of status, whether temporary, part time, or exempt. Be sure to check your state and local laws as some provide additional protections.

Legal requirements aside, you can support employees who need to express milk by:

- Ensuring the space is quiet and comfortable
- Providing a mini fridge to store milk in or near the lactation space
- Providing a hospital grade electric pump at work
- Allowing the employee to nurse their baby (if someone brings the baby to the employee during breaks or if the baby's daycare is nearby)
- Paying for breaks to express milk, even when not required

You can learn more about lactation accommodations on the [platform](#).

This Q&A does not constitute legal advice and does not address state or local law.