

## WHAT IS THE “NURSING MOTHERS IN THE WORKPLACE” ACT?

- > The “Nursing Mothers in the Workplace Act’ is a law that was passed in 2001 *to support breastfeeding mothers in the workplace.*
- > This legislation requires an employer to provide reasonable unpaid break time each day to an employee who needs to express breast milk for her infant child.
- > The employer must make reasonable efforts to provide a room, other than a toilet stall, where an employee can express her milk in private.
- > This affects all employers with more than 5 employees; including an individual, corporation, partnership, labor organization, or unincorporated association, the State, an agency or political subdivision of the State or any other legal, business, or commercial entity.
- > A packet of information has been developed which contains all the information a business needs to implement the legislation, e.g. what is needed to set up a room, suggested policies and procedures, maintaining a lactation room, and supporting staff, including FAQs for staff who use the lactation room and those who don't.
- > The informational brochure also describes how employers benefit when providing these services, i.e. greater employee satisfaction, improved productivity, lower turnover and reduced training costs, decreased absenteeism and increased company loyalty.
- > Businesses who have established policies which support breastfeeding families by having a workplace pumping site can receive the “Breastfeeding is Smart Business” Award. An award application is available to anyone in the community to nominate a business which is providing mother-friendly services at their worksite.
- > Applications for the “Breastfeeding is Smart Business” Award can be obtained from your Regional Breastfeeding Task Force or by calling 800.323.GROW.



State of Illinois  
Public Acts  
92<sup>nd</sup> General Assembly



Public Act 92-0068

SB0542 Enrolled

LRB9202036WHdv

**AN ACT concerning employment.**

**Be it enacted by the People of the State of Illinois, represented in the General Assembly:**

**Section 1.** Short Title. This Act may be cited as the "Nursing Mothers in the Workplace Act".

**Section 5.** Definitions. In this Act:

"Employee" means a person currently employed or subject to recall after layoff or leave of absence with a right to return at a position with an employer or a former employee who has terminated service within the preceding year.

"Employer" means an individual, corporation, partnership, labor organization, or unincorporated association, the State, an agency or political subdivision of the State, or any other legal, business, or commercial entity that has more than 5 employees exclusive of the employer's parent, spouse, or child or other members of the employer's immediate family. "Employer" includes an agent of an employer.

**Section 10.** Break time for nursing mothers.

An employer shall provide reasonable unpaid break time each day to an employee who needs to express breastmilk for her infant child. The break time must, if possible, run concurrently with any other break time already provided to the employee. An employer is not required to provide break time under this Section if to do so would unduly disrupt the employer's operations.

**Section 15.** Private place for nursing mothers.

An employer shall make reasonable efforts to provide a room or other location, in close proximity to the work area, other than a toilet stall, where an employee described in Section 10 can express her milk in privacy.

**Section 99.** Effective Date. This Act takes effect upon becoming law.

Passed in the General Assembly April 19, 2001.

Approved July 12, 2001.

Effective July 12, 2001.