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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2259

02/25/2014 Authored by Yarusso, Savick, Loeffler, Morgan, Melin and others

The bill was read for the first time and referred to the Committee on Labor, Workplace and Regulated Industries

03/06/2014 Adoption of Report: Re-referred to the Committee on Civil Law

1.1 A bill for an act  
1.2 relating to human rights; clarifying unfair employment practices related to  
1.3 nursing mothers; amending Minnesota Statutes 2012, sections 181.939; 363A.08,  
1.4 by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 181.939, is amended to read:

1.7 **181.939 NURSING MOTHERS.**

1.8 (a) An employer must provide reasonable unpaid break time each day to an  
1.9 employee who needs to express breast milk for her infant child. The break time must,  
1.10 if possible, run concurrently with any break time already provided to the employee. An  
1.11 employer is not required to provide break time under this section if to do so would unduly  
1.12 disrupt the operations of the employer.

1.13 (b) The employer must make reasonable efforts to provide a room or other location,  
1.14 in close proximity to the work area, other than a bathroom or a toilet stall, that is shielded  
1.15 from view and free from intrusion from coworkers and the public and that includes access  
1.16 to an electrical outlet, where the employee can express her milk in privacy. The employer  
1.17 would be held harmless if reasonable effort has been made.

1.18 (c) For the purposes of this section, "employer" means a person or entity that  
1.19 employs one or more employees and includes the state and its political subdivisions.

1.20 (d) A violation of this section is an unfair employment practice as provided for under  
1.21 section 363A.08, subdivision 8.

1.22 Sec. 2. Minnesota Statutes 2012, section 363A.08, is amended by adding a subdivision  
1.23 to read:

- 2.1            Subd. 8. **Nursing mothers.** Except when based on a bona fide occupational  
2.2 qualification, any violation of section 181.939 by an employer is an unfair employment  
2.3 practice.