

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION

S.F. No. 2000

(SENATE AUTHORS: SHERAN and Sieben)

DATE	D-PG	OFFICIAL STATUS
02/27/2014	5881	Introduction and first reading Referred to Jobs, Agriculture and Rural Development
03/13/2014	6208a	Comm report: To pass as amended Rule 21, referred to Rules and Administration
03/17/2014	6248a	Comm report: To pass as amended and re-refer to Finance

1.1 A bill for an act
 1.2 relating to employment; imposing duties on employers related to employees who
 1.3 are nursing mothers; providing for enforcement; amending Minnesota Statutes
 1.4 2012, section 181.939.

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 Subdivision 1. Employer duties. (a) An employer must provide reasonable unpaid
 1.9 break time each day to an employee who needs to express breast milk for her infant child.
 1.10 The break time must, if possible, run concurrently with any break time already provided to
 1.11 the employee. An employer is not required to provide break time under this section if to
 1.12 do so would unduly 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) An employer may not retaliate against an employee for asserting rights or
 1.21 remedies under this section.

1.22 Subd. 2. Enforcement. The Department of Labor and Industry shall enforce this
 1.23 section. The department shall assess a fine of up to \$1,000 for a first violation and up to
 1.24 \$2,000 for a second and subsequent violations of this section. A fine shall be assessed

- 2.1 only if an employer fails to remedy a violation within 15 days of written notice of a
- 2.2 violation from the department.