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e-Alert

08.17.21

Connecticut Amends Lactation Accommodation Law

Background

Effective October 1, 2021, employers will have additional responsibilities to support lactating and nursing mothers in their workforce.

Summary

Governor Ned Lamont signed [House Bill No 5158](#), "An Act Concerning Breastfeeding in the workplace," to replace [Connecticut General Statutes section 31-40w](#). Like the original statute, the Act asserts that an employee has a right to breastfeed or pump during their meal or break period. The Act encourages employers to make sufficient efforts to ensure the employee has a room in which to breastfeed or pump privately. The room should meet the following requirements:

- It must be free from disruption and sheltered from the public while the employee expresses breast milk.
- It must include or be situated near a refrigerator, or the employer must provide a portable cold storage device in which the employee can store breast milk.
- It must have access to an electrical outlet.

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It is important to note that the Act will only apply if the accommodations do not create an undue hardship for the employer. The undue hardship must be determined on a case-by-case basis. Employers should have a diligence process in place to determine whether an undue hardship is met for any specific case within question.

Employers are prohibited from taking adverse action against an employee who exercises their rights under the Act.

Employer Next Steps

- If you are a Full-Service or Virtual HR client and would like our assistance with updating your policy, please [email us](#).
- If you have further questions regarding this e-Alert, please [email us](#).

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