

NURSING MOTHERS

WORKPLACE PROTECTIONS

What rights do I have to take breaks to pump at work?

The Fair Labor Standards Act (FLSA) requires employers to provide eligible employees with **reasonable break time to pump** breast milk for her nursing child for one year after the child's birth. Under the law, employers are required to allow eligible employees reasonable break time to pump whenever needed. Employers are also required to provide eligible employees with a private place to pump—space that is shielded from view, free from intrusion, and NOT in a bathroom.

However, the FLSA break time requirements apply only to certain employees.

How do I know if I'm eligible to take breaks to pump at work?

The FLSA break time requirements apply only to employees who are eligible for **overtime pay**.

For example, **some salaried managers and office workers, school teachers, over-the-road truckers and helpers, airline employees, and farmworkers** may not be eligible.

Talk to your employer to find out if you are among the workers eligible for break time to pump at work.

If employees are not eligible to take breaks to pump under the FLSA, they may be able to take breaks under state laws providing protections to nursing mothers.

Even if an employee is not eligible to take breaks to pump at work, an employer cannot retaliate against an employee for asking about their rights.

Where can I learn more?

If you need help determining whether you have the right to take breaks to pump at work, **contact the U.S. Department of Labor's Wage and Hour Division** (WHD) for more information.

To contact your local WHD office call the WHD toll-free information and helpline at 1-866-4USWAGE (1-866-487-9243).



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