

* NOTICE *

NEW YORK STATE LABOR REGULATION §206-c LACTATION BREAKS

requires the Company to provide nursing mothers with unpaid break time or permit them to use paid break or meal time to express milk.

Which Employers are Covered?

All private and public employers in New York State, regardless of size or industry.

Which Employees are Covered?

Nursing mothers for up to three years after giving birth.

What Rights Do Nursing Mothers Have?

Nursing mothers are allowed to take unpaid breaks of at least 20 minutes or use paid break or meal time for the purpose of expressing breast milk. If the designated lactation room/location is not within walking distance from the employee's work area, the employee may take an unpaid break of at least 30 minutes. At the employee's option, unpaid break time may run concurrently with the employee's regularly scheduled paid break time or meal period. Employees may choose to take shorter unpaid lactation breaks.

Unpaid lactation breaks may be taken at least once every three hours if requested by the employee. If adequate coverage is not available, the employee can be required to postpone her scheduled unpaid break time for up to 30 minutes.

Upon election of the employee, the employee can make up the work time lost while on unpaid lactation breaks either before or after her normal work shift so long as the time falls within the employer's normal business hours.

Is There a Designated Location for Lactation Breaks?

Employers must make a reasonable effort to provide a private room or other location for lactation breaks unless it is significantly impracticable, inconvenient, or expensive to do so. This can include a vacant office or other available room so long as it is not accessible to others while it is being used to express milk. If no other option is available, a cubicle can be used so long as it meets certain specified criteria. The lactation room must have a door with a functional lock; otherwise, a sign advising others that the room is in

use and is not accessible to others must be posted. A restroom or toilet stall may not be used as a lactation room. A chair and either a small table, desk, counter, or other flat surface will be made available.

How are Employees Notified of their Rights?

When female employees return to work following the birth of a child, they will receive written notification of their right to unpaid lactation breaks via an individually written notice, a lactation break policy in the Company's employee handbook, or a notice posted in a centralized location in the workplace.

Are Employees Required to Give Notice to their Employers?

Employees are responsible for giving advance notice to their employers of their intent to take lactation breaks. Employees are encouraged to provide notice prior to their return to work in order to give their employers adequate time to designate an appropriate lactation room/location and to make staffing arrangements to cover the employee's job while she is taking lactation breaks, if needed.

Non-Discrimination

An employee who chooses to express breast milk in the workplace may not be discriminated against in any way.

If You Have Questions or For Additional Information Contact:

Human Resources

Name/Job Title

315-793-7620

Telephone Number