

NH Senate Bill – 219, "The Breastfeeding Bill"

SB 219 Compared to Federal Fair Labor Standards Act (FLSA)

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	SB 219	FLSA
Employees Covered	Covers all employees	Only covers hourly/non-exempt workers
Accommodations	Mandated Time and Space (on or off-site) to Pump	Same
Duration of temporary accommodations	While the employee is lactating	For up to 1 year after child's birth
Employer exemptions	50 or less employees may apply for an exemption	Same
Enforcement	NH Department of Labor	US Department of Labor
Advisory Council	Governor's Advisory Council	None
Jury Duty Exemption Provision	Upon request by the nursing mother	None

[Fact Sheet #73: Break Time for Nursing Mothers under the FLSA](#)

Supreme Court Decision – March 25, 2015 on Workplace Accommodations

[Young v United Parcel Service](#): Employers that provide reasonable accommodations to a percentage of its non-pregnant workers, must also provide reasonable accommodations for pregnancy and related medical conditions under [Title VII Civil Rights Act -Pregnancy Discrimination Act](#).

(Lactation is [medical condition](#) related to pregnancy. Lactation Discrimination is illegal sex discrimination under the Pregnancy Discrimination Act.)