



House Bill No. 5158

Public Act No. 21-27

AN ACT CONCERNING BREASTFEEDING IN THE WORKPLACE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 31-40w of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) Any employee may, at her discretion, express breast milk or breastfeed on site at her workplace during her meal or break period.

(b) An employer shall make reasonable efforts to provide a room or other location, in close proximity to the work area, other than a toilet stall, where the employee can express her milk in private, and provided there is no undue hardship, such room or other location shall (1) be free from intrusion and shielded from the public while such employee expresses breast milk, (2) include or be situated near a refrigerator or employee-provided portable cold storage device in which the employee can store her breast milk, and (3) include access to an electrical outlet.

(c) An employer shall not discriminate against, discipline or take any adverse employment action against any employee because such employee has elected to exercise her rights under subsection (a) of this section.

(d) As used in this section, "employer" means a person engaged in

House Bill No. 5158

business who has one or more employees, including the state and any political subdivision of the state; "employee" means any person engaged in service to an employer in the business of the employer; "reasonable efforts" means any effort that would not impose an undue hardship on the operation of the employer's business; and "undue hardship" means any action that requires significant difficulty or expense when considered in relation to factors such as the size of the business, its financial resources and the nature and structure of its operation.

Approved June 4, 2021