



House of Representatives

General Assembly

File No. 244

January Session, 2001

Substitute House Bill No. 5656

House of Representatives, April 11, 2001

The Committee on Labor and Public Employees reported through REP. DONOVAN of the 84th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING BREASTFEEDING IN THE WORKPLACE.

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

1 (NEW) (a) Any employee may, at her discretion, express breast milk
2 or breastfeed on site at her workplace during her meal or break period.
3 An employer shall make reasonable efforts to provide a room or other
4 location, in close proximity to the work area, other than a toilet stall,
5 where the employee can express her milk in private.

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

10 (c) As used in this section, "employer" means a person engaged in
11 business who has one or more employees, including the state and any
12 political subdivision of the state, and "employee" means any person

13 engaged in service to an employer in the business of the employer.

LAB *JOINT FAVORABLE SUBST.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Indeterminate Costs

Affected Agencies: Department of Public Works, Department of Labor, All State Agencies

Municipal Impact: Indeterminate Costs

Explanation

State Impact:

This bill would result in costs to the state that cannot be determined at this time, but that are not anticipated to be significant. The bill requires employers to make reasonable efforts to provide a room or other location close to the workplace for employees to breastfeed or express their milk in private. The state as an employer would incur costs for providing and maintaining such private locations. The costs cannot be determined at this time, but are not estimated to be significant, since the bill only requires the employer to make “reasonable efforts” to provide a private location.

It also prohibits employers from discriminating against employees who choose to breastfeed or express milk at work. This could result in additional cases being brought before the Department of Labor for non-compliance and discrimination. The potential workload increase is anticipated to be minimal, and could result in minimal cost that would be absorbed within existing resources. The state as an

employer could also incur minimal costs if it is required to defend itself from such claims.

Municipal Impact:

The bill would result in additional costs to municipalities as employers resulting from the requirement that they provide and maintain a private location for employees to breastfeed and express milk. This would result in indeterminate costs that are not anticipated to be significant, due to the provision that the employer must only make “reasonable efforts” to provide a private location. There could also be minimal costs resulting from municipalities having to defend themselves from claims of non-compliance and discrimination.

OLR Bill Analysis

sHB 5656

AN ACT CONCERNING BREASTFEEDING IN THE WORKPLACE.

SUMMARY:

This bill allows employees to express breast milk or breastfeed at their workplace during their meal or break period. It requires employers to make reasonable efforts to provide a room or other location close to the workplace (other than a toilet stall) for the employee to express her milk in private.

It also prohibits employers from discriminating against employees who choose to express milk or breastfeed at work.

The bill covers all employers, including the state and municipalities.

EFFECTIVE DATE: October 1, 2001

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 12 Nay 0