

You have the LAW on your side!

LABOR CODE §1030-1033:

Every employer... shall provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child.

- Your employer must allow you to use your break time to pump.
- If pumping takes longer than the normal break time, your employer does not need to pay you for the extra time.

The employer shall make reasonable efforts to provide the employee with the use of a room or other location, other than a toilet stall, in close proximity to the employee's work area, for the employee to express milk in private.

- Employers must try to find a clean, private space for you to pump.
- Your employer does not have to furnish you with a breast pump, a sink to wash your pump parts, or a refrigerator to store your milk.

An employer is not required to provide break time ... if to do so would seriously disrupt the operations of the employer.

- Your employer can say that giving you time to pump would make it difficult for their business.
- See the next page for ideas of what to say to your employer and/or supervisor.

An employer who violates any provision of this chapter shall be subject to a civil penalty in the amount of one hundred dollars (\$100) for each violation.

- You can report your employer for not giving you time and place to pump, and there are fines if found guilty.
- See the last page of this handout for steps you can take.

<http://www.dir.ca.gov/dlse/RestAndMealPeriods.pdf>

Let your employer know:

What is in it for them?

Employees who are supported to pump:

- Have fewer sick days
- Are more productive and loyal
- Have lower health care costs for mom and baby
- Are happier with their employers and less likely to leave

How can this work in YOUR workplace?

Talk to your employer:

When:

- Before you have your baby
- Before you return to work

What to talk about:

- This pamphlet
- Where can you pump – that is NOT a toilet stall?
 - Unused office or cubicle
 - Storage room
 - Screened or divided area
- When will you pump?
 - During your break times and lunch
- What if pumping takes more than your break time?
 - Come in early or leave late

