

PUMPING AT WORK: Know Your Rights

As a nursing parent in Minnesota, you have rights when it comes to working (or preparing to go back to work) and needing to be able to pump milk while away from your baby. These legal rights and protections are designed to support a successful breastfeeding/chestfeeding relationship between you and your child.

In Minnesota, you are entitled to:

- Breaks without loss of compensation
- For as long as you choose to breastfeed/chestfeed
- Your pumping time must be “reasonable” - communicate with your employer so they know what is reasonable for you.

A suitable place to pump is:

- A clean, private, and secure room or area
- Close to your workspace
- NOT a bathroom or toilet stall
- Shielded from view and free from intrusion by coworkers and the public
- Has access to an electrical outlet

These requirements apply to *all* employers and *all* employees - it does not matter how long you have worked for that employer. Everyone is entitled to reasonable pumping breaks.

Employers cannot penalize employees for requesting this time.

“When my employer wouldn’t allow me to take the pumping breaks I needed, not only did it affect my physical and mental health, but also the health and well-being of my daughter. All employers should follow the law that is in place for this. I’m glad Gender Justice is here to enforce this.”

- Rachel Pierce, former Gender Justice client

GENDER JUSTICE

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CONTACT GENDER JUSTICE FOR FURTHER LEGAL GUIDANCE

Call (651) 789-2090 or fill out our
Legal Assistance form at
genderjustice.us/legal-assistance/

You may be able to sue for your
rights, including under federal law.
This is especially true if you have ex-
perienced harm either to your ability
to nurse or your employment.

Gender Justice may represent you or
provide a referral to another
attorney.

Gender Justice is a nonprofit legal
and policy advocacy organization de-
voted to addressing the causes and
consequences of gender inequity.
Our mission is broader than women's
rights, standing alone. We fight any
discrimination based on sex, gender,
sexual orientation, or gender identity.

When planning to return to work:

1. Consult your employee handbook and/or speak with a human resources representative about your employer's lactation policy. If there is no lactation policy, talk with your supervisor. If their policy does not include the rights listed above, feel free to share this factsheet with them.
2. Speak with your supervisor about your pumping needs. Remember, everyone's pumping needs are different and your employer may be not aware of your specific needs. Feel free to use the advocacy letter template to start this conversation, which can be found on our website.
3. Document all communications regarding your pumping needs at work. If your employer fails to accommodate your needs as required by law, this documentation will help you with filing a complaint and/or a lawsuit.

If your pumping needs are not being met:

Call the Minnesota Department of Labor and Industry (DOLI)

- They will help make sure that your employer is following the law. They'll take your information and start an investigation into your situation (this is called filling a complaint).
- Call MN DOLI at (651) 284-5075 or (800) 342-5354; they can also be contacted by email at
- dli.laborstandards@state.mn.us.
- Or scan the QR code here to call:



This information has been compiled from Laws of Minnesota 2023, Chapter 53, Article 11, Section 27, Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) and Federal Register Vol. 25. No. 244 (DOL interpretation of federal nursing break time requirements). It is intended to serve as a guide for nursing parents, but it is not a substitute for Minnesota or federal law.