



New Illinois Law Expands The Rights of Nursing Mothers In The Workplace

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Effective August 21, 2018, Illinois Public Act 100-1003 expanded the protections under the Nursing Mothers in the Workplace Act (Act) for employees needing to express breast milk in the workplace.

The Act applies to employers with more than five employees and grants reasonable break time each day to an employee needing to express breast milk for her infant child. The Act previously allowed for unpaid break time for employees to express milk but the Act, as amended, now requires employers to pay for such break time.

Additionally, the new law entitles employees to such break time for up to one year after the birth of the child and allows as much paid time as needed, unless it “creates an undue hardship” on the employer as defined in the Human Rights Act.

In general, an undue hardship may be created depending on the financial and operational circumstances of the employer. Considering these changes to the Act, Illinois employers should review and update their current break and lactation policies to ensure compliance with the amended Act.