

Wage and Hour Division







FLSA Protections to Pump at Work

On December 29, 2022, President Biden signed the Consolidated Appropriations Act, 2023 into law. The law includes the PUMP for Nursing Mothers Act (“PUMP Act”), which extends to more nursing employees the rights to receive break time to pump and a private place to pump at work and may impact some of the other information provided below.

The Fair Labor Standards Act (FLSA) requires employers to provide reasonable break time for an employee to express breast milk for their nursing child for one year after the child's birth each time such employee has need to express the milk. Employees are entitled to a place to pump at work, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public.

PUMP AT WORK

Under the PUMP for Nursing Mothers Act, most employees have the right to break time and a private space to express breast milk for their nursing child.

 AGRICULTURE WORKERS	 NURSES	 TEACHERS
 TRUCK AND TAXI DRIVERS	 HOME CARE WORKERS	 MANAGERS

#PUMPAct dol.gov/pump-at-work @WHD_DOL

Wage and Hour Division Fact Sheet #73 “FLSA Protections for Employees to Pump Breast Milk at Work” and the Frequently Asked Questions posted below provide basic information about the law.

General Guidance

- [WHD Fact Sheet #73, FLSA Protections for Employees to Pump at Work](#)
- [FLSA Protections to Pump at Work Frequently Asked Questions \(FAQs\)](#)
- [How to File a Complaint](#)
- [Pump at Work Protections under the Fair Labor Standards Act - Presentation](#)
- [FAB 2023-2: Enforcement of Protections for Employees to Pump Breast Milk at Work](#)

The PUMP for Nursing Mothers Act: What Advocates and Employers Need to Know



[View the Webinar](#)

Applicable Laws

- Fair Labor Standards Act § 18d (as amended by the Providing Urgent Maternal Protections for Nursing Mothers Act, P.L. 117-328)
- [Pump for Nursing Mothers Act, Consolidated Appropriations Act, 2023](#)
- [PUMP for Nursing Mothers Act](#) - December 2022

Additional Resources

- [What to Expect from Your Employer When You're Expecting](#)
- [Employment Protections for Workers Who are Pregnant or Nursing](#)
- [OPM Guidance on Nursing Mothers in the Federal Workforce](#)
- [Guide for Establishing a Federal Nursing Mother's Program](#)
- [Supporting Nursing Moms at Work: Employer Solutions](#)
- [CDC Healthier Worksite Initiative, Workplace Lactation Support Program Toolkit](#)
- [EEOC Enforcement Guidance: Unlawful Disparate Treatment of Workers with Caregiving Responsibilities](#)
- [National Conference of State Legislatures Compilation of State Breastfeeding Laws](#)
- [Surgeon General's Call to Action to Support Breastfeeding](#)

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