



*Colorado Legislative Council Staff Fiscal Note*  
**REVISED NO FISCAL IMPACT**

(replaces fiscal note dated February 19, 2008)

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**Drafting Number:** LS 08-0296

**Date:** March 4, 2008

**Prime Sponsor(s):** Rep. Kerr A.  
Sen. Gibbs

**Bill Status:** Senate Business, Labor and Technology

**Fiscal Analyst:** Clare Pramuk (303-866-2677)

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**TITLE:** CONCERNING WORKPLACE ACCOMMODATIONS FOR NURSING MOTHERS.

### **Summary of Legislation**

The **reengrossed** bill establishes the “Workplace Accommodations for Nursing Mothers Act”. It requires an employer to provide reasonable paid or unpaid break time for an employee who is a nursing mother to express milk for up to 2 years after the child’s birth. In addition, the employer is to make reasonable efforts to provide the nursing mother with a private location in which to express milk. The bill defines both reasonable efforts and undue hardship which includes consideration of the special circumstances of public safety. The bill requires nonbinding mediation between the employer and employee before an employee may seek litigation for a violation.

The Department of Labor and Employment is required to make information and links to other websites available on its website for employers to use in accessing information regarding methods to accommodate nursing mothers in the workplace. The bill is effective 90 days following final adjournment of the General Assembly unless a referendum petition is filed (August 6, 2008, if final adjournment is May 7, 2008).

### **Assessment**

This bill is assessed at no fiscal impact. Most of the departments surveyed already accommodate the needs of nursing mothers or stated that accommodations can be made within existing resources. If it would create a hardship for her employer, a nursing mother employed in a public safety environment, is not required to be accommodated. It is expected that local governments are currently allowing breaks for nursing mothers. The Department of Labor and Employment can add the necessary information to its website within existing appropriations.

### **Departments Contacted**

All Departments