



FINAL
FISCAL NOTE

Drafting Number: LS 08-0296
Prime Sponsor(s): Rep. Kerr A.
Sen. Gibbs

Date: July 11, 2008
Bill Status: Signed into Law
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TITLE: CONCERNING WORKPLACE ACCOMMODATIONS FOR NURSING MOTHERS.

Summary of Legislation

This 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 Governor signed the bill into law on April 7, 2008, and unless a referendum petition is filed, the bill will take effect August 5, 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