

By: Representatives Dedeaux, Wells-Smith

To: Labor

HOUSE BILL NO. 1292

1 AN ACT TO REQUIRE EMPLOYERS TO PROVIDE REASONABLE UNPAID
2 BREAK TIME EACH DAY TO EMPLOYEES WHO NEEDS TO EXPRESS BREAST MILK
3 FOR THE EMPLOYEE'S INFANT CHILD; TO PROVIDE THAT THE BREAK TIME
4 SHALL RUN CONCURRENTLY WITH ANY BREAK TIME ALREADY PROVIDED TO THE
5 EMPLOYEES IF POSSIBLE; TO PROVIDE THAT EMPLOYERS SHALL NOT BE
6 REQUIRED TO PROVIDE BREAK TIME UNDER THIS ACT IF IT WOULD UNDULY
7 DISRUPT THE OPERATIONS OF THE EMPLOYER; TO PROVIDE THAT EMPLOYERS
8 SHALL MAKE REASONABLE EFFORTS TO PROVIDE A ROOM OR OTHER LOCATION
9 IN CLOSE PROXIMITY TO THE WORK AREA WHERE EMPLOYEES CAN EXPRESS
10 BREAST MILK IN PRIVACY; AND FOR RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** (1) An employer shall provide reasonable unpaid
13 break time each day to an employee who needs to express breast
14 milk for that employee's infant child. The break time shall, if
15 possible, run concurrently with any break time already provided to
16 the employee. An employer shall not be required to provide break
17 time under this section if to do so would unduly disrupt the
18 operations of the employer.

19 (2) The employer shall make reasonable efforts to provide a
20 room or other location in close proximity to the work area, other
21 than a toilet stall, where the employee can express breast milk in
22 privacy. The employer shall be held harmless if reasonable effort
23 has been made to comply with this subsection.

24 (3) For the purposes of this section, "employer" means a
25 person or entity that employs one or more employees and includes
26 the state and its political subdivisions.

27 **SECTION 2.** This act shall take effect and be in force from
28 and after July 1, 2004.