



Sample Policy for Workplace Accommodations for Nursing Employees

PURPOSE--In recognition of the well documented [health benefits of breastfeeding for women and infants](#), (Name of Employer) provides a supportive environment to enable nursing employees to express their breast milk for their infant during work hours. This includes an employer-wide lactation support program administered by (name of department/person).

Effective July 1, 2025, New Hampshire law RSA 275:78-83 [Protective Legislation Section: Policies Related to Nursing Mothers](#) requires employers with six or more employees to provide nursing mothers with unpaid lactation breaks of 30 minutes for every three hours worked along with a private, functional space to express milk, shielded from view and free from intrusion. This New Hampshire law applies in addition to the [Federal PUMP for Nursing Mothers Act or PUMP Act](#), which requires employers to provide lactation breaks “whenever requested.” These laws, along with the [Pregnant Workers Fairness Act](#) apply at once, and the most stringent standard on an issue governs.

POLICY --(Name of Employer) shall provide nursing employees with an unpaid break whenever requested. All employees and management are to have a positive, accepting attitude toward nursing employees. Discrimination and harassment of any kind is unacceptable. This policy shall be made available to all employees and shall be included in the (Name of Employer) employee handbook, onboarding/orientation training, and application for parental leave. Employees requesting workplace accommodations to express milk shall notify their immediate supervisor or human resources at least two weeks prior to needing reasonable accommodations. The space (permanent or temporary) shall be a private space, not a bathroom and shall be shielded from view and free from intrusion from coworkers and the public.

Exemption: If providing a reasonable break period and sufficient space would impose an undue hardship on operations, (Name of Employer) may apply for an exemption.

If (Name of Employer) violates any provision of NH RSA 275:78-83, they shall be subject to a one-time civil penalty pursuant to RSA 273:11a.

EMPLOYER RESPONSIBILITIES

Employees who choose to continue providing their breast milk for their infants after returning to work shall receive:

MILK EXPRESSION BREAKS



The frequency and duration of breaks needed to express milk will vary depending on individual needs of the nursing employee and the infant. Employees cannot be required to make up time related to use of this break period. Employees will have the option of taking their break period contemporaneously with break or meal periods already provided by the employer. Employers and employees may negotiate different terms for reasonable break periods than provided by NH law. Employees are required to give their supervisor or human resources at least two weeks' notice prior to needing break periods and space. Break time includes the time to get to the nearby lactation space, express milk, store the milk in a designated refrigerator onsite or in a personal cooler, clean the equipment, and return to their assigned work area. It is understood that the employee's lactation accommodation needs may change over time and this shall be communicated with the employee's supervisor and/or the human resources department. If an employee is not relieved from duty, time used to express milk shall be paid.

A PLACE TO EXPRESS MILK

A private room (permanent or temporary) that is not a bathroom and is close to the employee's work area shall be available for employees to express breast milk. If the employer cannot provide a lactation room/space, a vacant temporary room may be provided. The space must be functional, private, shielded from view, and free of intrusion from coworkers and the public. The space shall be well lit and clean, with a chair, table or nearby flat surface, an electrical outlet, a lock on the door, and a nearby sink. If employees prefer, they may express breast milk in their private office or in other locations agreed upon in consultation with their supervisor. Expressed milk can be stored in designated refrigerators or in the employee's personal cooler.

STAFF SUPPORT

Employers are required to make this policy available to employees at the time of hire. It is expected that all employees will assist in providing a positive atmosphere of support for nursing employees.

This policy shall be included in the (Name of Employer) employee handbook as well as posted in the designated lactation space.

(List other components specific to your company's program)

EMPLOYEE RESPONSIBILITIES

Communication with Supervisors

Employees who wish to express breast milk during the work period shall inform their supervisor or human resources of their needs so that proper accommodations can be made to meet the needs of both the employee and the company.

Policy Approved by NH Breastfeeding Taskforce November 6, 2025



Maintenance of Milk Expression Areas

Employees are responsible for cleaning up after themselves when using milk expression areas.

Milk Storage

Employees shall label all breast milk with their name and date collected. Each employee is responsible for proper storage of their milk; Employees may use an employer-provided refrigerator or personal storage cooler.

Communication Regarding Use of Lactation Space

When more than one employee needs to use the designated lactation room, employees shall use the employer's designated sign-in process.

NOTE--This policy is a sample and can be modified to meet the specific needs of the employer. It is drafted to meet the requirements of the Federal PUMP Law and NH RSA 275:78-83. Feel free to reach out at nhbreastfeeding@gmail.com if you have questions.