



## Legislation Text

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Int. No. 892-A

By Council Members Louis, Cabán, Ung, Gutiérrez, Fariás, Hanif, Narcisse, Marte, Hudson, Ayala, Sanchez and Rivera

A Local Law to amend the administrative code of the city of New York, in relation to written lactation room accommodation policies

Be it enacted by the Council as follows:

Section 1. Paragraph (c) of subdivision 22 of section 8-107 of the administrative code of the city of New York, as added by local law 186 for the year 2018, is amended to read as follows:

(c) Employer lactation room accommodation policy.

(i) An employer shall develop and implement a written policy regarding the provision of a lactation room[, which] and shall [be distributed] distribute such written policy to [all] employees [upon hiring] at the commencement of employment. An employer shall make such written policy readily available to employees by, at a minimum, conspicuously posting such policy at an employer's place of business in an area accessible to employees and electronically on such employer's intranet, if one exists. The policy shall include a statement that employees have a right to request a lactation room, and identify a process by which employees may request a lactation room. This process shall:

(1) Specify the means by which an employee may submit a request for a lactation room;

(2) Require that the employer respond to a request for a lactation room within a reasonable amount of time not to exceed five business days;

(3) Provide a procedure to follow when two or more individuals need to use the lactation room at the same time, including contact information for any follow up required;

(4) State that the employer shall provide [reasonable break time for an employee] 30 minutes of paid break time, and shall further permit an employee to use existing paid break time or meal time for time in excess of 30 minutes to express breast milk pursuant to section 206-c of the labor law; and

(5) State that if the request for a lactation room poses an undue hardship on the employer, the employer shall engage in a cooperative dialogue, as required by subdivision 28 of this section.

(ii) The commission shall, in collaboration with the department of health and mental hygiene, develop a model lactation room accommodation policy that conforms to the requirements of this subdivision and a model lactation room request form. The commission shall make such model policy and request form available on its website.

(iii) The existence of a lactation room accommodation policy pursuant to this subdivision shall not affect an individual's right to breastfeed in public pursuant to article 7 of the civil rights law.

§ 2. This local law takes effect 180 days after it becomes law.

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