Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 621 of the Regular Session

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

By: Representatives L. Smith, Adcock, Blount, J. Roebuck, Tyler, Wagner, Webb
By: Senators Madison, Elliott, Salmon

For An Act To Be Entitled

AN ACT TO REQUIRE EMPLOYERS TO PROVIDE UNPAID BREAK TIME AND REASONABLE LOCATIONS FOR EXPRESSING BREAST MILK; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO REQUIRE EMPLOYERS TO PROVIDE UNPAID BREAK TIME AND REASONABLE LOCATIONS FOR EXPRESSING BREAST MILK.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 11, Chapter 5, Subchapter 1 is amended to add an additional section to read as follows:

(a)(1) An employer shall provide reasonable unpaid break time each day to an employee who needs to express breast milk for her child in order to maintain milk supply and comfort.
(2) To the extent possible, the break time required under subdivision (a)(1) of this section shall run concurrently with any paid or unpaid break time already provided to the employee.
(b)(1) An employer shall make a reasonable effort to provide a private, secure, and sanitary room or other location in close proximity to the work area, other than a toilet stall, where an employee can express her breast milk.
(2) The room or location provided under subdivision (b)(1) of
this section may include the employee’s normal work space if the employee’s normal work space meets the requirements of this section.

(c) This section does not require an employer to provide break time if to do so would create an undue hardship on the operations of the employer.

(d) The employee shall make reasonable efforts to minimize disruption to the employer’s operations.

/s/ L. Smith

APPROVED: 3/27/2009