

New York City Amends Lactation Room Accommodation Policy Requirements

2 min read

Feb 7, 2025

New York City recently enacted a local law amending the New York City Human Rights Law relating to an employer's obligation to implement and distribute a written lactation room accommodation policy.

Existing Law

Under existing law, an employer is required to develop and implement a written lactation room accommodation policy and distribute that policy to all employees upon hiring.

The written policy must include a statement that employees have a right to request a lactation room and identify the process by which employees can make such a request. That process includes:

- specifying the means by which an employee submits a lactation room request;
- requiring that the employer respond to a lactation room request within a reasonable amount of time, not to exceed five business days;
- providing a procedure to follow when two or more individuals need to use the lactation room at the same time;
- providing reasonable break time for an employee to express breast milk; and
- engaging in a cooperative dialogue if the request for a lactation room poses an undue hardship on the employer.

Model lactation accommodation policies developed by the New York City Commission on Human Rights can be found [here](#).

Amended Law

The amended law, which is **effective May 11, 2025**, modifies language in the existing law, and adds an additional requirement for the posting of the employer's lactation room accommodation policy:

Posting Policy Requirements

- Under the amended law, employers are required to make their lactation room accommodation policy “**readily available to employees**” by conspicuously posting the written policy at the employer’s place of business in an area accessible to employees and electronically posting the policy on the employer’s intranet, if one exists.

Policy Modification

- **Distribution:** Under the existing law, employers are required to distribute their written lactation room accommodation policy to “all employees upon hiring.” The amendment modifies the language for the distribution of the employer’s policy to “employees at the commencement of employment.”
- **Paid Break Time For Lactation:** In order to align with New York State’s paid lactation break, the amendment modifies the existing language from that an employer will provide “reasonable break time for an employee to express breast milk” to that the employer will provide “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.”

Takeaways

- New York City employers should revise their lactation room accommodation policies in accordance with the amended law, and ensure they comply with the amended law’s physical and electronic posting requirements.
- Additionally, employers should ensure they comply with New York State and New York City’s existing paid lactation break requirements.

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