

EVERYTHING YOU NEED TO KNOW ABOUT

PUMP & PWFA in the Hospitality & Culinary Industries

The PUMP for Nursing Mothers Act closes the coverage gap that left many women without federal protection of their right to break time and a private space to pump during the workday. Starting April 28th, 2023 employers will need to comply with the requirements listed below and address employee awareness and other cultural considerations.



OVER 50%

of people working in restaurants, hotels, and other hospitality jobs are women.

Compliance Requirements of the PUMP Act

- 1 Provide a Private (Not Permanent) Location**
The space to pump in privacy is only required if you have an employee who needs to pump. Consider a portable pumping station - including refrigeration and non-plumbed sinks- that can be used and removed when not needed
- 2 Provide a Reasonable Break Time**
Break time must be paid if it falls within the normal workday. Employers do not have to provide breaks if doing so would cause an undue hardship on the employer, though this is difficult to prove and the onus is on the employer.
- 3 Communicate the Policy**
Employers should post a notice regarding the Act and should communicate their policy for accommodating nursing mothers both internally and externally.
- 4 Train Supervisors**
This will ensure that supervisors are knowledgeable about the law and are able to effectively implement the policy.
- 5 Keep Records**
These records should include the date and time of the break, the duration of the break, and the location where the break was taken.
- 6 Respond to Requests**
Employers should work with employees to find a solution that works for both parties. Employers may not retaliate in response to requests.



Deep Dive on the PWFA

The passage of the **Pregnant Workers Fairness Act** is one of the biggest advances in civil rights law in decades and will ensure pregnant and postpartum workers get reasonable accommodations (like light duty, breaks, or a stool) without facing discrimination or retaliation in the workplace. Employers have the right to prove the accommodation would be very difficult or expensive to provide. PWFA goes into effect on June 27th, 2023.

Workers have the right to receive **reasonable accommodations** for pregnancy, childbirth recovery, and related medical conditions

Employers have the right to prove an **undue hardship** to accommodations

Employees are **protected against retaliation** for needing, requesting, or using a reasonable accommodation

Employers are **prohibited from firing a woman or denying her a job** due to pregnancy

Workers will be granted **fair accommodations** for a range of needs "related to pregnancy, childbirth, or related medical conditions"

Learn More About the PUMP Act and How We Can Help



It's Working Project

The **It's Working Project** is committed to creating synergistic strategies for caregivers and their work/campus place. Contact us to learn more about how we can support you.



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