Engage PEO Client Alert:

South Carolina: Lactation Support Act

South Carolina enacted a Lactation Support Act on June 25, 2020 that requires employers to make reasonable efforts to provide a room or other location (other than a restroom) in close proximity to the work area for an employee to express milk in privacy. However, The Act does not require an employer to construct a permanent, dedicated space for expressing milk.

The Act also does not require an employer to provide break time if doing so would create an undue hardship on the operations of the employer.

In accordance with the language in the South Carolina Pregnancy Accommodation Act, the Lactation Support Act also makes it **unlawful for an employer to discriminate against an employee for choosing to express breast milk in the workplace**. As such, an aggrieved employee may file a charge of discrimination with SCHAC in the event any adverse action is taken for requesting or using reasonable unpaid break time, or paid break time or mealtime, to express breast milk. However, an employer will not be held liable if it takes reasonable efforts to comply with the Lactation Support Act.

If you have questions, please contact your Engage HR Consultant.