Engage PEO Client Alert - Minnesota

Minnesota Amends Guidance for Pregnancy-Related Accommodations

What's New: Under Minnesota law, all employers must provide employees who need to express breast milk for their infant child reasonable break times each day, up to 12 months following the birth of a child. Employers with at least 15 employees must provide accommodations to pregnant workers, including (1) more frequent restroom, food, and water breaks; (2) seating; and (3) limits on lifting over 20 pounds.

Why It Matters: Effective **January 1, 2022**, *all* Minnesota employers, regardless of size, will be prohibited from reducing an employee's compensation for time used for the purpose of expressing breast milk for the 12 months following the birth of a child.

Employers may still ask that lactation breaks be scheduled over regularly scheduled rest or meal breaks, but if not, employers cannot reduce pay.

While compensating employees for lactation-related breaks will apply to all Minnesota employers, employers with at least 15 employees will now also be required to accommodate pregnant employees under Minnesota's Women's Economic Security Act (or WESA). This threshold has been lowered. It previously applied to employers with at least 21 employees. WESA requires employers to provide accommodations to pregnant workers, including (1) more frequent restroom, food, and water breaks; (2) seating; and (3) limits on lifting over 20 pounds.

If you have any questions about Minnesota's new pregnancy-related accommodation requirements, please reach out to your Engage HR Consultant.