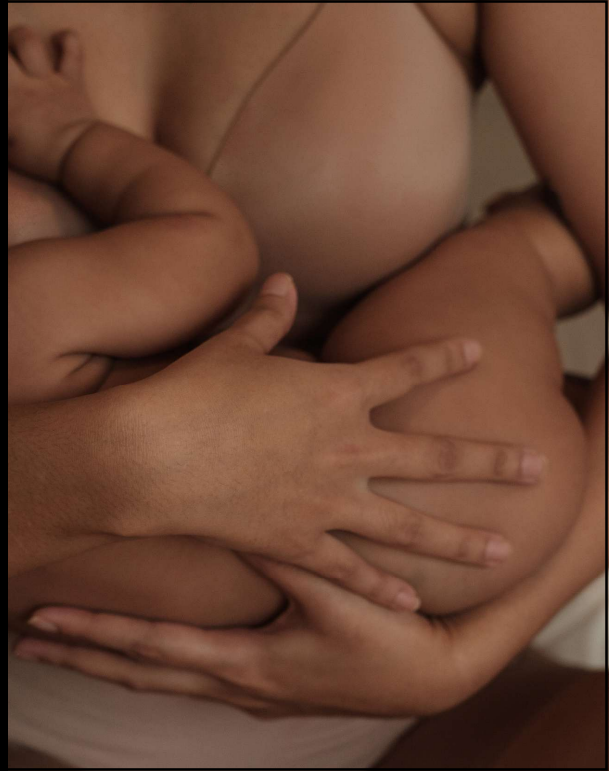


Lactation Rights in the Workplace for Law Enforcement Officers

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Why Breastfeed?

For children...

- Ideal nutrition
- Stronger immune system
- Lower SIDS risk
- Healthier gut
- Lower risk of chronic diseases
- Better gut health
- Fewer acute infections
- Reduced allergies
- Lower hospitalization rates

For lactating parents...

- Faster recovery
- Quicker weight loss
- Reduced risk of
 - postpartum hemorrhage
 - breast cancer and ovarian cancer
 - type 2 diabetes
 - heart issues
 - hot flashes in perimenopause
- Fewer missed workdays

Not to mention...

- Cost savings
- Less waste
- Lower carbon emissions
- Sustainable food source
- Safer in emergencies
- Less antibiotic use

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Special Considerations for Lactating Law Enforcement Officers

- Your uniform, which may constrict breasts
- Unpredictable & long schedules
 - difficult to maintain a pumping schedule
 - skipped sessions can cause milk supply to drop
- Stress
- Culture & Stigma
 - Backlash for breaks
 - Difficulty asking for accommodations
 - Don't want to seem inferior within your department or be looked over for promotions
- Physical safety

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For Federal Employees in NJ: Providing Urgent Maternal Protections for Nursing Mothers Act (“PUMP Act”)



Requires almost all employers of all sizes to provide:

- Reasonable break time for employees to express milk (need not be paid)
- A “place other than a bathroom that is shielded from view and free from intrusion from coworkers and the public”
- For up to one year after the birth

<https://www.dol.gov/agencies/whd/pump-at-work>

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New Jersey Workplace Lactation Law: NJLAD

- Found in the NJ Law Against Discrimination (LAD) N.J.S.A. 10:5-1 et seq
- Breastfeeding and pregnancy have been added to LAD's list of protected statuses

<https://www.nj.gov/lps/dcr/downloads/NJ-Law-Against-Discrimination-Most-Updated.pdf>

https://pub.njleg.state.nj.us/Bills/2016/PL17/263_.PDF

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You have the right to pump breastmilk at work in New Jersey.

Your employer must allow reasonable break time to pump your milk if you ask for it.



Most employees need 15-20 minutes to express breast milk, plus time to wash hands, set up and store their pump, and store the milk. The break time can be unpaid time.

Your employer must also provide a private place, close to your work area, for you to pump. IT MAY NOT BE A BATHROOM.



It must have a chair, a shelf or table for holding the pump and a door which can be locked from the inside.



You may need to take a break to pump at least every 3 hours, especially if your baby is less than six months old.



The right to pump at your job lasts as long as you are breastfeeding your child, even beyond 1 year.

If your rights have been violated, you can file a complaint with the New Jersey Division on Civil Rights (NJDCR) at NJCivilRights.gov or call 973-648-2700.



For more information, visit the New Jersey Breastfeeding Coalition website: breastfeedingnj.org/breastfeeding-and-employment/

<https://breastfeedingnj.org/wp-content/uploads/2023/04/Infographic-workplace-BF-rights-Eng.pdf>

<https://breastfeedingnj.org/wp-content/uploads/2025/01/infographic-workplace-BF-rights-Span-rev.pdf>

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NJLAD also bars discrimination and harassment



- NJLAD makes it illegal for employer to discriminate against or harass a person in employment on the basis of their breastfeeding status.
- Employer must also prevent harassment from other employees or a hostile environment

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Taking action if pumping rights have been violated:

- First, provide information on the law to your employer!

Legal remedies:

- File a complaint within 180 days of the violation with the NJ Division on Civil Rights OR
 - File a complaint within 2 years of the violation in NJ Superior Court
- Consult an attorney and the NJ Division on Civil Rights for more information

https://www.njoag.gov/wp-content/uploads/2021/04/fact_BRST.pdf

5 Things You Should Know About Accommodations for Pregnancy and Breastfeeding at Work

- 1 The New Jersey Law Against Discrimination (LAD) requires your employer to grant you a reasonable accommodation for pregnancy, childbirth, related medical conditions, and breastfeeding to enable you to continue working while maintaining a healthy pregnancy or return to work after giving birth. The LAD is more protective than the federal Pregnancy Discrimination Act in this regard.
- 2 If you are pregnant, your employer must grant you a reasonable accommodation recommended by your doctor, including bathroom breaks, water breaks, rest breaks, assistance with manual labor, job restructuring, modified work schedule, and a temporary transfer to less strenuous or hazardous work, unless your employer can show that doing so would be an undue hardship on its operations.
- 3 If you are breastfeeding, your employer must grant you a reasonable break time each day, and a suitable private place (other than a toilet stall) in which to express breast milk, unless your employer can show that doing so would be an undue hardship on its operations.
- 4 Factors to be considered in whether an accommodation would be an undue hardship include the overall size of your employer's business with respect to employees, facilities, and budget; the nature and cost of the accommodation needed; and the extent to which the accommodation would involve waiver of an essential requirement of your job.
- 5 Your employer may not in any way penalize you or retaliate against you for requesting or using an accommodation for pregnancy or breastfeeding.

To find out more or to file a complaint, go to NJCivilRights.gov or call 877-648-2700

NJ Office of the Attorney General DIVISION ON CIVIL RIGHTS
NJCivilRights.gov

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How Can Your Employer Provide Your Lactation Needs?

- Clean area to pump
- Ample time to pump
- Temporary reassignment
 - More predictable schedules
 - Desk desk duty
- Modified uniforms
 - Stretchy fabric
 - Soft armor inserts
- Civilian attire if on desk duty



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How to Ask for Accommodations

Officers should use their chain of command and HR to:

- Submit a written request for pumping accommodations
- Reference NJLAD and federal laws (like the PUMP Act)
- Include a note from a medical provider, if needed, describing the need for pumping breaks and frequency

Ask to initiate an interactive process, which is required by NJ law to explore reasonable accommodations.



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More Information



breastfeedingnj.org
 njbreastfeedingcoalition@gmail.com

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Resource

- <https://www.nj.gov/lps/dcr/downloads/NJ-Law-Against-Discrimination-Most-Updated.pdf>
- <https://www.njoag.gov/wp-content/uploads/2024/12/DCR-Guidance-on-Pregnancy-Related-Workplace-Accommodations.pdf>
- <https://www.njoag.gov/about/divisions-and-offices/division-on-civil-rights-home/priorities/gender-equity-and-reproductive-rights/pregnancy-breastfeeding-reproductive-rights-nj/>
- If you think your pumping rights have been violated, you can file a complaint at the NJ Division on Civil Rights or file a lawsuit in NJ Superior Court.
 - <https://bias.njcivilrights.gov/en-US/>
 - <https://www.njoag.gov/about/divisions-and-offices/division-on-civil-rights-home/division-on-civil-rights-file-a-complaint/>
- <https://breastfeedingnj.org/wp-content/uploads/2025/01/Fact-sheet-for-employees-rev.pdf>
- <https://breastfeedingnj.org/wp-content/uploads/2025/01/Fact-Sheet-for-Employers-rev.pdf>
- <https://breastfeedingnj.org/wp-content/uploads/2023/04/Infographic-workplace-BF-rights-Eng.pdf>
- <https://breastfeedingnj.org/wp-content/uploads/2025/01/infographic-workplace-BF-rights-Span-rev.pdf>
- <https://www.njoag.gov/wp-content/uploads/2024/12/Workplace-Accommodations-for-Breastfeeding-and-Lactation.pdf>
- https://www.nj.gov/oag/dcr/downloads/fact_BRST.pdf
- <https://www.abetterbalance.org/resources/pump-for-nursing-mothers-act-explainer/>
- <https://www.abetterbalance.org/resources/talking-to-your-boss-about-your-pump-new-jersey/>
- <https://www.usbreastfeeding.org/workplace-law-guide.html>
- <https://womenshealth.gov/breastfeeding/breastfeeding-home-work-and-public/breastfeeding-and-going-back-work>
- <https://www.dol.gov/whd/regs/compliance/whdfs73.htm>
- <https://www.dol.gov/whd/nursingmothers/faqbtm.htm>
- More resources at the NJ Breastfeeding Coalition
 - <https://breastfeedingnj.org/resources/handouts/>
 - <https://breastfeedingnj.org/breastfeeding-and-employment/>
 - <https://breastfeedingnj.org/current-new-jersey-lactation-related-laws-and-regulations/>
 - <https://breastfeedingnj.org/new-jersey-benefits-programs-that-help-pregnant-and-postpartum-parents-get-lactation-off-to-a-strong-start/>
 - <https://breastfeedingnj.org/legal-rights/breastfeeding-in-public/>
- Join NJBC as a member! <https://breastfeedingnj.org/membership/>
- If you have further questions about the NJ LAD's protections for pumping in the workplace, contact us at NJBreastfeedingCoalition@gmail.com.

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