

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 190

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES CISSNA, Crawford, Kerttula, Gardner, Gruenberg

Introduced: 4/25/07

Referred: Health, Education and Social Services, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to break times for employees who nurse a child."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 23.10 is amended by adding a new section to article 7 to read:

4 **Sec. 23.10.450. Nursing mothers.** (a) An employer shall provide reasonable
5 unpaid break time each day to an employee who is the nursing mother of a child so
6 that the employee may breastfeed or express breast milk. The break time may run
7 concurrently with other break time provided to the employee and must occur at times
8 during the workday that reasonably ensure the health and comfort of the mother and
9 the child and allow the employee to maintain breast milk supply.

10 (b) Unless to do so would create a substantial and undue hardship on the
11 employer, an employer shall provide a private, secure, and sanitary room or other
12 location in close proximity to the work area, other than a toilet stall, where the
13 employee can express milk or breastfeed the child.

14 (c) The department shall enforce this section and may, by regulation, establish
15 procedures by which an employee may file a complaint alleging a violation of this

1 section. The department may impose a civil fine not to exceed \$50 on an employer for
2 a violation of this section.

3 (d) In this section,

4 (1) "employer" means a corporation, company, partnership, firm,
5 association, organization, or sole proprietor, including the state and any political
6 subdivision of the state;

7 (2) "undue hardship" means an action that is unreasonably difficult or
8 costly when considered in relation to factors such as the size of the employer's
9 business, its financial resources, and the nature and structure of its operation.