

NURSING MOTHER'S ACCOMMODATION ACT

STATE OF NEVADA Department of Business & Industry
OFFICE OF THE LABOR COMMISSIONER - www.labor.nv.gov

STATE OF NEVADA NURSING MOTHER'S ACCOMMODATION ACT

Effective July 1, 2017, as set forth in Assembly Bill 113 approved during the 2017 Legislative Session, Nevada Revised Statutes (NRS) section 608 governing *Private Employers* is hereby amended with a new section as follows:

https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB113_EN.pdf

Requirements of Assembly Bill 113:

1. Except as otherwise provided in subsections 3, 5 and 6 (see below), each employer shall provide an employee who is the mother of a child under 1 year of age with:
 - (a) Reasonable break time, with or without compensation, for the employee to express breast milk as needed; and
 - (b) A place, other than a bathroom, that is reasonably free from dirt or pollution, which is protected from the view of others and free from intrusion by others where the employee may express breast milk.
2. If break time is required to be compensated pursuant to a collective bargaining agreement entered into by an employer and an employee organization, any break time taken pursuant to subsection 1 by an employee which is covered by the collective bargaining agreement must be compensated.
4. An employer shall not retaliate, or direct or encourage another person to retaliate, against any employee because that employee has:
 - (a) Taken break time or used the space provided pursuant to subsection 1 or 3 to express breast milk; or
 - (b) Taken any action to require the employer to comply with the requirements of this section, including, without limitation, filing a complaint, testifying, assisting or participating in any manner in an investigation, proceeding or hearing to enforce the provisions of this section.

Exceptions (set forth in subsections 3, 5, and 6 of Assembly Bill 113):

3. If an employer determines that complying with the provisions of subsection 1 will cause an undue hardship considering the size, financial resources, nature and structure of the business of the employer, the employer may meet with the employee to agree upon a reasonable alternative. If the parties are not able to reach an agreement, the employer may require the employee to accept a reasonable alternative selected by the employer.
5. An employer who employs fewer than 50 employees is not subject to the requirements of this section if these requirements would impose an undue hardship on the employer, considering the size, financial resources, nature and structure of the business of the employer.
6. An employer who is a contractor licensed pursuant to chapter 624 of NRS is not subject to the requirements of this section with regard to an employee who is performing work at a construction jobsite that is located at least 3 miles from the regular place of business of the employer.

Pursuant to NRS 608.195 (except as otherwise provided in NRS 608.0165) any person who violates provisions of NRS 608.005 to 608.195 inclusive is guilty of a misdemeanor. In addition to any other remedy or penalty, the Labor Commissioner may impose against the person an administrative penalty of not more than \$5,000 for each violation.

Copies of this notice may also be obtained from the Office of the Labor Commissioner at:

1818 College Parkway, Suite 102, Carson City, Nevada 89706
(775) 684-1890

or

3300 W. W Sahara Avenue Suite 225, Las Vegas, Nevada 89102
(702) 486-2650

Or by going to our website at <http://labor.nv.gov>

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