

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

ASSEMBLY, No. 795

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 7, 2022

The Assembly Women and Children Committee reports favorably and with committee amendments Assembly Bill No. 795.

This bill would clarify protections provided in the “Law Against Discrimination” to working mothers who are breast feeding. Specifically, the bill provides that an employer is required to accommodate a lactating employee for as long as the employee desires. Additionally, the bill clarifies that lactating employees are entitled to reasonable break time paid at the employee’s regular rate of compensation, job restructuring, and a modified work schedule for the purpose of milk expression.

Further, the bill requires an employer to provide a suitable room or other location with privacy, free from intrusion of other employees or customers of the employer’s business, if applicable, other than a restroom, for the purpose of milk expression.

This bill was pre-filed for introduction in the 2022-2023 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS

The committee amended the bill to further clarify that breast feeding employees are entitled to reasonable break time paid at the employee’s regular rate of compensation and job restructuring for the purpose of milk expression.

The committee amendments stipulate that the employee provide a suitable room or other location that is free from intrusion of other employees or customers of the employer’s business, if applicable, for the purpose of milk expression.

The committee amended the bill to replace the term “employee breast feeding her child” with “lactating employee” to include employees who experience pregnancy loss or who are gestational surrogates.

The committee amendments add the term “breast feeding “ to certain provisions of the bill to maintain consistency throughout the bill.