

What to Know About the PUMP Act

The Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act amends the FLSA 2010 Break Time for Nursing Mothers and expands workplace lactation accommodation protections to all breastfeeding employees. Here's an at-a-glance chart of what employers need to know. For support with lactation accommodations at your organization, visit mamava.com.

	Break Time for Nursing Mothers (2010)	PUMP Act (2022)	What changed?
Who's covered?	Non-exempt (e.g. hourly) workers covered by the FLSA	All breastfeeding workers*—both non-exempt (e.g. hourly) and exempt (e.g. salaried) *Airline pilots and flight attendants are not covered	Extends workplace lactation accommodation rights to ~9 million women who were not previously covered by the 2010 FLSA law
Lactation space	A private, non-bathroom space free from intrusion	A private, non-bathroom space free from intrusion	No change
Break time	Reasonable break time	Reasonable break time	No change
Duration	Up to one year	Up to one year	No change
Compensation	Unspecified	Break time spent pumping should be considered hours worked if the employee is still working	Clarifies that if employees are not relieved of duties while pumping, then that time counts as hours worked
Compliance	Unspecified	Before making a claim against an employer, an employee must first notify them that they are not in compliance and wait 10 days	Workers can recover appropriate forms of relief in court for violations, including reinstatement or back pay
Eligibility for exemption	Employers with 50 or fewer employees can request an exemption if they demonstrate that compliance would impose an "undue hardship"	Employers with 50 or fewer employees are exempt if they demonstrate that compliance would impose an "undue hardship." Compliance for rail and motorcoach industries is delayed until December 2025. Airline pilots and flight attendants are not covered	Allows a three-year delay for railroad and motorcoach industries. Does not cover airline pilots or flight attendants