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# A BILL FOR AN ACT

RELATING TO BREASTFEEDING IN THE WORKPLACE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Chapter 387, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "~~§387-~~ **Breastfeeding.** (a) No employer, as defined in  
5 section 378-1, shall prohibit an employee from expressing  
6 breastmilk during any meal period or other break period required  
7 by law to be provided by the employer or required by collective  
8 bargaining agreement.

9 (b) Every employer with twenty or more employees shall  
10 make reasonable efforts to provide a clean location, other than  
11 a bathroom, where an employee may express breast milk in  
12 privacy. Every employer covered by this subsection shall post  
13 notice, as shall be prescribed by the director, of the  
14 application of this subsection in a conspicuous place accessible  
15 to employees. An employer who violates this subsection shall be  
16 fined \$50 for each violation. A civil fine that is ordered  
17 pursuant to this subsection shall be deposited with the director  
18 of finance to the credit of the general fund of the State.



1        (c) For the purposes of this section, "employee" means an  
2 individual employed by an employer as defined in section 378-1."

3        SECTION 2. Section 378-10, Hawaii Revised Statutes, is  
4 repealed.

5        [~~"§378-10 Breastfeeding. No employer shall prohibit an~~  
6 ~~employee from expressing breastmilk during any meal period or~~  
7 ~~other break period required by law to be provided by the~~  
8 ~~employer or required by collective bargaining agreement."]~~

9        SECTION 3. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11        SECTION 4. This Act shall take effect on January 7, 2059.



**Report Title:**

Breastfeeding; Labor and Industrial Relations; Wage and Hour Law

**Description:**

Requires an employer with twenty or more employees to make reasonable efforts to provide a clean location for breastfeeding employees to express breast milk in privacy. Requires covered employers to post a notice pertaining to this provision in a conspicuous location. Establishes a civil fine of \$50 for the failure of an employer to provide a location or post notice. Effective January 7, 2009. (HB2228 HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

