

FINAL BILL REPORT

HB 2266

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Synopsis as Enacted

Brief Description: Concerning reasonable accommodation for the expression of breast milk without requiring written certification from a health care professional.

Sponsors: Representatives Doglio, Dolan, Leavitt, Ryu, Tarleton, Appleton, Paul, Ormsby, Sells, Macri, Wylie, Senn, Cody, Kloba, Hudgins and Pollet.

House Committee on Labor & Workplace Standards
Senate Committee on Labor & Commerce

Background:

Under state law, employers with 15 or more employees must provide reasonable accommodations for an employee's pregnancy. "Pregnancy" is defined to include the need to express breast milk.

"Reasonable accommodations" include, among other things, providing flexible bathroom breaks, modifying a no food or drink policy, providing seating, providing for a temporary transfer to a less strenuous or hazardous position, providing assistance with manual labor, providing flexible scheduling for prenatal visits, and limiting heavy lifting.

Regarding the expression of breast milk, reasonable accommodation includes providing reasonable break time for an employee to express breast milk for two years after the child's birth.

An employer may request that the employee provide written certification from her health care provider regarding the need for a reasonable accommodation. However, an employer may not request written certification for the following reasonable accommodations: (1) flexible bathroom breaks; (2) modifying a no food or drink policy; and (3) providing seating.

Summary:

An employer may not require written certification from an employee's health care provider regarding the need for reasonable accommodations for the employee to express breast milk.

Votes on Final Passage:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

House 97 0
Senate 48 0

Effective: June 11, 2020