

May 4, 2015

Minnesota Utility Contractor Association
Stephanie Menning
1000 Westgate Dr, Ste 252
St. Paul, MN 55114

Re: The Women's Economic Security Act (WESA)

Dear Sir or Madam:

In May 2014, a new law called the Women's Economic Security Act (WESA) was created in Minnesota to close the gender pay gap and make work environments safer places for working mothers. Under the WESA law, the Minnesota Department of Labor and Industry (DLI) has investigative and enforcement authority for worker protections including:

- accommodations for nursing mothers in the workplace;
- pregnancy accommodation in the workplace;
- pregnancy and parental leave (expanded from six to 12 weeks);
- use of sick leave benefit for sick and safe leave to care for family members; and,
- wage disclosure protection.

As you know, now more than ever, women play an integral role in trades and industries where men constitute a majority of the workforce.

Below are some of new specifics about WESA's nursing mother and pregnancy accommodation provisions. **We encourage you to share this information with your members.**

Nursing mothers' law

The nursing mothers' law requires employers to provide reasonable unpaid break time for nursing mothers to express milk and space to express milk that:

- is not a **bathroom of any kind, including a portable toilet,**
- is close to the worksite
- is shielded from view,
- is free from intrusion, and
- includes access to a working electrical outlet.

A possible designated place for a nursing mother to express milk on a construction site may be a private space in a construction trailer or other designated location near the jobsite that meets the needs of nursing mothers.



Pregnancy accommodation

The pregnancy accommodation law provides for additional accommodations for pregnant employees who have worked for their employer for at least 12 months, part-time and with an employer that has at least 21 employees at one site in Minnesota.

Accommodations, which do **not** require a letter from a physician, include:

- more frequent restroom, food and water breaks;
- seating; and,
- limits on lifting more than 20 pounds.

An employer may also accommodate a pregnant employee by transferring an employee to a less strenuous position. The employee is not required to accept any accommodation.

Contact DLI

As a part of its mission, DLI offers outreach and consultation to Minnesota employers to ensure compliance with labor laws. We understand that employers may face challenges as they make adjustments to their policies. Contact our Labor Standards Division at (651) 284-5075 with any questions and concerns you may have regarding these new laws. You can also view WESA-related fact sheets and information online at www.dli.mn.gov/LS/FaqWesa.asp.

Sincerely,

A handwritten signature in black ink, appearing to read "John Aiken". The signature is fluid and cursive, written over a white background.

John Aiken
Director
Labor Standards & Apprenticeship Division