



December 20, 2022

To the Members of the United States Congress:

The U.S. Chamber of Commerce strongly supports the negotiated compromise version of the Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act and urges Congress to approve this legislation before the session concludes. This important bill represents a balanced approach to providing more support to nursing mothers in the workplace.

This legislation would update the Break Time for Nursing Mothers Act, which became law in 2010. That law amended the Fair Labor Standards Act (FLSA) to require employers with more than 50 employees to provide a space for mothers to either nurse or, more likely, to express breast milk. It also requires employers to provide reasonable breaks for workers to nurse. Because the legislation amended the FLSA's overtime provision, it does not cover workers exempt from overtime. It also lacks an enforcement mechanism.

The PUMP Act would expand coverage to those workers currently exempt and would provide workers with a remedy if employers fail to provide accommodation or reasonable breaks. The bill would improve upon the current law in several key areas:

- Employers would be allowed 10 days to improve space allocated for nursing mothers before employees could proceed with seeking relief from the courts. This provision would assure that more employees can get the accommodations they need in a timely manner rather than triggering a drawn out, costly, and uncertain litigation process.
- The bill protects small businesses by not applying to employers with less than 50 employees where compliance would present an undue hardship.
- The bill addresses concerns from the airline and railroad industries about difficulties these companies would have had complying.

The PUMP Act is a win-win for nursing mothers and the businesses that employ them. Employers would get clarity and a way to avoid litigation, and nursing mothers would be able to remain in the workforce. The Chamber is pleased to strongly support this legislation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil L. Bradley". The signature is fluid and cursive, with a prominent loop at the end.

Neil L. Bradley
Executive Vice President, Chief Policy Officer,
and Head of Strategic Advocacy
U.S. Chamber of Commerce