



*El Dorado County Joint Chamber Commission; Elk Grove Chamber Commerce; Folsom Chamber of Commerce;
Rancho Cordova Chamber of Commerce; Roseville Area Chamber of Commerce*

Where You Can Make a Difference for Business in California!

June 6, 2018

Hon. Richard Pan, MD
Chair, Senate Committee on Labor and Industrial Relations
Legislative Office Building
1020 N Street, Room 545
Sacramento, CA 95814

Re: AB 1976 (Limon) re: Lactation Accommodation – OPPOSE UNLESS AMENDED

Dear Chair Pan:

On behalf of the chambers of commerce that comprise the United Chamber Advocacy Network of California (UCAN) and their nearly 4800 combined members, I am writing to express our opposition to Assembly Bill 1976 (Limon) which requires an employer to provide employees with the use of a room to express milk.

In a recent joint membership survey, the UCAN chambers asked “what is the top issue impacting your business’ bottom line?” It was no surprise that burdensome governmental regulations was the top response of members, followed by taxes, HR policy and the state’s overall business climate.

We agree that employers should do their best to accommodate nursing mothers in the workplace and most employers do. However, a one size fits all solution to a problem that may exist will cause additional and unaffordable costs to many businesses in California, particularly small businesses which provide the vast majority of employment in California. Moreover, non-compliance with AB 1976 presents yet another liability to small business employers.

We urge you to amend AB 1976 to provide a hardship exemption, consistent with federal law. According to the California Chamber of Commerce, the Patient Protection and Affordable Care Act amended the Fair Labor Standards Act, as of March 23, 2010, regarding lactation break requirements. (29 U.S.C. § 207(r).) The Act does not apply to employers with less than 50 employees if it would impose an undue hardship by causing the employer “significant difficulty or expense” when considered in relation to (i) size, (ii) financial resources, (iii) nature, or (iv) structure of the employer’s business. (29 U.S.C. § 207(r)(3).) Additionally, some employers, regardless of size, are exempt from compliance because of the nature of their work.

Thank you in advance for your thoughtful consideration of our views.

Dave Butler

Advocate

United Chamber Advocacy Network

cc. Hon. Monique Limon
Members, Senate Committee on Labor and Industrial Relations
State Senators Ted Gaines and Jim Nielsen

United Chamber Advocacy Network
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