

ILLINOIS

Illinois Requires Employers to Provide Paid Lactation Breaks

On Aug. 1, 2025, Illinois [amended](#) the Illinois Nursing Mothers in the Workplace Act to require employers to compensate employees at their regular rate of compensation during lactation breaks. The amendment takes effect on **Jan. 1, 2026**.

Background

The act requires employers with five or more employees to provide reasonable unpaid break time each day to employees who need to express breast milk for their infant child for one year after the child's birth, unless doing so creates undue hardship for the employer. Under the act, break time may run concurrently with any break time already provided to the employee. Employers must also make reasonable efforts to provide a room or other location, other than a toilet stall, near the work area where employees can express milk in privacy. Employers cannot reduce an employee's compensation for the time used to express milk or nurse a baby.

Amendment Overview

The amendment requires covered employers to compensate employees during the break time to express breast milk at the employee's regular rate of compensation. Additionally, employers cannot require employees to use paid leave during the break time or reduce the employee's compensation during the break time in any other manner.

Employer Takeaway

Employers should review and, if necessary, revise any policies and procedures related to lactation accommodations. Employers should also ensure that employees are paid at their regular rate of compensation for lactation breaks by the amendment's effective date.

Provided to you by **Employco USA, Inc.**

Important Dates

Aug. 1, 2025

Illinois amended its lactation break law to require employers to provide paid lactation breaks.

Jan. 1, 2026

The amendment takes effect.

***Starting Jan. 1, 2026,
Illinois employers
with five or more
employees must
provide paid
lactation breaks.***