

In The News

Akerman Partner Jeffrey Kimmel Highlights Pay Disparity for Nursing Mothers in the Workplace

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In a *Law360* article titled, “4 Of The Biggest Equal Pay Developments So Far In 2022,” Wage and Hour Practice Co-Chair Jeffrey Kimmel in New York discussed the failure of the Providing Urgent Maternal Protections for Nursing Mothers, or PUMP, Act to pass the Senate in June (despite having passed in the House in 2021) and how this lack of legislative action will affect nursing mothers in the workplace. Kimmel explained the nursing break construction in the Fair Labor Standards Act that prohibits a worker from asserting a claim over a missed break may have a collateral impact on pay equity, as nursing mothers may feel they cannot take needed breaks for breastfeeding.

“When you’re talking about equal pay, you also have to take into account whether women can’t take a specific job because they aren’t able to take advantage or be able to express milk in the workplace. So they might be excluded from certain jobs, which can affect the pay disparity and negotiation leverage,” said Kimmel.

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