



Puerto Rico Adopts Comprehensive Breastfeeding Code

Puerto Rico has enacted Act No. 87-2025, known as the “Puerto Rico Breastfeeding Code” (the “Code”). This landmark law consolidates multiple statutes and regulations into a single, comprehensive legal framework to protect and promote breastfeeding across Puerto Rico.

Purpose and Scope

The new Code recognizes breastfeeding as a fundamental social function with proven health benefits for both infants and mothers. It guarantees the right of mothers, whether in public service, private employment, or public spaces, to breastfeed or express milk in adequate, hygienic, private, and safe conditions.

The Code applies to both public and private sectors, with enforcement powers shared by the Office of the Women’s Advocate and the Puerto Rico Department of Labor.

Key Provisions

General Provisions

- Defines rights, principles of interpretation, and key terms.
- Declares August as Breastfeeding Awareness Month.
- Regulates the distribution of breast milk substitutes to newborns.

Public Service

- Requires lactation rooms in public agencies, ports, airports, service centers, public schools, and the University of Puerto Rico. The Code includes the specifications that a lactation room must meet.
- Grants public-sector employees a minimum of one hour per workday for breastfeeding or expressing milk, for at least 12 months after returning from maternity leave.



Private Sector

- Require employers to provide adequate lactation spaces and at least one hour per workday for breastfeeding or milk expression for 12 months.
- Requires lactation rooms in shopping malls, commercial establishments, and post-secondary institutions. Specific requirements for private-sector lactation rooms include:
 - Privacy and Accessibility: Employers must designate an accessible space that safeguards the mother's right to privacy in the workplace.
 - Security and Visibility: The room must be private and secure, without security cameras. If it has windows, they must be fully covered (e.g., curtains, frosted glass, or equivalent) to prevent visibility, and the room must have a door with a lock.
 - Hygiene: The space must be clean and have access to water for washing breastfeeding equipment.
 - Facilities: The room must have electrical outlets, ventilation, and a refrigerator exclusively for storing breast milk.
 - Comfort: The space must have a chair or armchair.
 - Exclusion: The lactation room cannot be located in or coincide with restroom facilities.

Administrative Provisions

- Establishes administrative fines, double damages in civil actions, and criminal penalties for discrimination.
- Repeals nine previous laws, now consolidated into this Code.

Enforcement and Penalties

The Office of the Women's Advocate and the Department of Labor share authority to investigate complaints, issue fines, and ensure compliance. Courts may award double damages to victims of violations. Criminal sanctions apply in cases of discrimination or obstruction.



Prohibited Conduct

The Code explicitly prohibits:

- Discrimination against breastfeeding mothers.
- Using breastfeeding breaks as grounds for negative performance evaluations.
- Any adverse employment action against mothers exercising breastfeeding rights.
- Requiring mothers to “make up” breastfeeding time.
- Obstructing or interfering with breastfeeding rights.

This new law not only strengthens legal protections for mothers but also standardizes breastfeeding rights across Puerto Rico, ensuring that workplaces, public facilities, and educational institutions provide the support needed for healthy early childhood development.

Please contact us should you require assistance with compliance policies or if you have questions about how this impacts your organization.

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