



Menstruation and Lactation Support on Construction Sites Fact Sheet

Number: SB 3465 / HB 4760

Chief Sponsors: Sen. Graciela Guzman(D-20), Rep. Theresa Mah (D-24)

SB 3465/HB 4760 strengthens Illinois law to ensure that construction workers who menstruate or express milk have safe, sanitary, and dignified working conditions on construction sites. Building on existing lactation and bathroom sanitation requirements, the bill establishes clear standards for menstrual hygiene access and lactation accommodations, making construction sites healthier and more inclusive, welcoming and equitable workplaces.

Historically, construction worksites have not been welcoming environments for many women, and bathrooms have been mechanisms for harassment and unequal treatment. The legislation recognizes that workers who menstruate or lactate have specific health and safety needs and that addressing those needs is essential to workplace safety, job retention, and a non-discriminatory construction industry.

Bill Highlights

Menstrual Support

- For any woman or individual who menstruates on construction worksites with 10 or more workers, this bill requires employers to provide a private bathroom, with signage, on construction sites that have a secure internal latch to secure privacy.
- Free menstrual hygiene products shall be provided and in stock at all times.
- Workers must be given adequate time to use the restroom, taking into account the multiple layers of protective clothing.

Lactation Support

- Requires employers to provide reasonable accommodations for workers who need to express milk, consistent with the Illinois Nursing Mothers in the Workplace Act.
- Accommodations include flexible breaks to express milk, a sanitary, lockable location with signage that is not a restroom, on-site refrigeration for milk storage and a nearby water source for handwashing and lactation equipment.

Why This Bill Matters

As more women and gender-diverse workers enter the construction trade workforce, workplace standards must evolve and remove barriers that impact those who menstruate, lactate, or need extra accommodation. When workers' basic needs are met, they are more likely to stay in their

jobs. This bill supports retention, reduces turnover, and strengthens Illinois' construction workforce.

What This Means for Employers

Is an employer required to provide a separate bathroom for women and workers who menstruate?

Yes, on worksites with 10 or more workers of any gender, a separate toilet facility must be provided and designated for women and individuals who menstruate, either by their employer or by the prime contractor. On small worksites, gender-neutral facilities may be used, consistent with existing sanitation standards.

Does an employer have to supply a specific type, size, or brand of menstrual products?

No, the law requires employers to maintain a sufficient supply of menstrual hygiene products, at no cost to workers, with no fewer than 10 units available at all times. The cost of a 10-pack of regular pads is less than \$5.00 and a 10-pack of regular tampons starts from \$3.50.

Do employers have to establish a dedicated space for expressing milk regardless of need?

No, they only need to provide a dedicated space upon the worker's request. Multiple space options can be chosen, in collaboration with the worker.

Is there an extra cost for providing refrigeration for lactation spaces?

An employer may designate an "area" in the job site refrigerator or purchase a small fridge (a used portable fridge can cost as little as \$20, and a new one can cost as little as \$50 in Illinois).

If there are multiple contractors on the job site, who is responsible for providing a bathroom and/or a dedicated space for expressing milk?

Each employer is responsible for ensuring there are facilities for their own workers, either by providing them directly or through agreement with their prime contractor if they are a subcontractor.

To sign on as a sponsor of this bill, contact Beth Berendsen: policy@cwit.org

Supporters

