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Title 22@ Social Security

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Division 1@ Employment Development Department

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Subdivision 1@ Director of Employment Development

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Division 1@ Unemployment and Disability Compensation

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Part 2@ Disability Compensation

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Chapter 2@ Disability Benefits

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Article 1@ Eligibility

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Section 2626-1@ Eligibility -Nursing Mother

2626-1 Eligibility -Nursing Mother

(a) A nursing mother who except for the act of breast-feeding is otherwise able to perform her regular or customary work shall be deemed "disabled" as that term is used in subdivision (a) of Section 2626 of the code only if one of the following conditions exists: (1) The act of breast-feeding or nursing the infant induces a physical condition in the claimant that prevents her from performing her regular or customary work and this physical condition is supported by a certificate which meets the requirements of Section 2708 of the code. (2) The act of breast-feeding is medically essential in sustaining the life of the infant and the mother is disabled from an anxiety reaction resulting therefrom which is supported by a certificate which meets the requirements of Section 2708 of the code.

(1)

The act of breast-feeding or nursing the infant induces a physical condition in the claimant that prevents her from performing her regular or customary work and this physical condition is supported by a certificate which meets the requirements of Section 2708 of the code.

(2)

The act of breast-feeding is medically essential in sustaining the life of the infant and the mother is disabled from an anxiety reaction resulting therefrom which is supported by a certificate which meets the requirements of Section 2708 of the code.

(b)

Except when subdivision (a) of this section applies, neither the difficulties of lactation nor the impracticality of breast-feeding, shall constitute a "disability" within the meaning of subdivision (a) of Section 2626 of the code.