



Meal and Rest Break Policy



Purpose

This policy outlines the company's procedures and requirements for providing meal and rest breaks to employees in compliance with California labor laws. The policy ensures that all employees receive appropriate breaks to promote health, safety, and well-being during their workday.

Meal Breaks

Meal Break Requirements:

- **Timing:** Employees who work more than **5 hours** in a day are entitled to a **30-minute unpaid, off-duty meal break**. The meal break must be provided before the end of the employee's fifth hour of work.
- **Second Meal Break:** Employees who work more than **10 hours** in a day are entitled to a **second 30-minute unpaid meal break**. This second break must be provided before the end of the employee's tenth hour of work.
- **Waiving the Meal Break:**
 - Employees who work **no more than 6 hours** in a day may voluntarily waive their meal break if both the employee and employer agree to do so in writing.
 - Employees who work more than 10 hours but no more than **12 hours** may waive their second meal break, provided they took the first meal break, and both the employee and employer agree.

Off-Duty Requirement:

During the meal break, employees must be **completely relieved of all duties**. Employees are free to leave the worksite during their meal period.

On-Duty Meal Breaks:

An on-duty meal period may be allowed only in rare circumstances where the nature of the job prevents the employee from being relieved of all duties. In such cases, the on-duty meal break is considered **paid** and must be agreed upon in writing by both the employer and the employee.

Penalty for Missed Meal Breaks:

If the company fails to provide a meal break in accordance with these guidelines, the employee will be entitled to **one additional hour of pay** at their regular rate of pay for each day that the meal break was not provided.

Rest Break

Rest Break Requirements:

- **Timing:** Employees are entitled to a **10-minute paid rest break** for **every 4 hours of work** or major fraction thereof. Rest breaks should be taken in the middle of each work period, as far as practicable.
- **Additional Breaks:** Employees who work **more than 6 hours** but **less than 10 hours** are entitled to a second 10-minute rest break. Employees working more than 10 hours but less than 14 hours are entitled to a third rest break.

Paid Rest Breaks:

Rest breaks are paid and counted as time worked. Employees are not required to clock out for rest breaks.

Rest Break Conditions:

Employees must be allowed to take their rest breaks in an area free from work-related tasks or duties. Employees are encouraged to leave their work area but are not required to leave the worksite.

Penalty for Missed Rest Breaks:

If the company fails to provide a rest break, the employee will be entitled to **one additional hour of pay** at their regular rate for each day the rest break was not provided.

Scheduling of Breaks

Supervisors are responsible for scheduling and ensuring employees take their meal and rest breaks as required by law. While supervisors may set specific times for breaks, employees should be allowed flexibility in taking breaks within the required timeframes, provided that it does not interfere with business operations.

Prohibition Against Working During Breaks

Employees are prohibited from working during meal and rest breaks. Employees should notify their supervisor if they are unable to take their breaks due to work demands. Supervisors are responsible for ensuring that employees are not pressured to skip breaks.

Record-Keeping

- Employees must accurately record the start and end times of their meal breaks in the company's timekeeping system. Rest breaks do not need to be recorded, as they are paid and considered time worked.
- The company will retain time records and payroll records to ensure compliance with California labor laws.

Compliance with California Law

This policy complies with California's Industrial Welfare Commission (IWC) Wage Orders and the California Labor Code. The company is committed to ensuring that all employees receive their legally mandated meal and rest breaks.

Exceptions and Modifications

The company reserves the right to modify or amend this policy as necessary to comply with California law or to reflect operational needs.