

Agenda Item 7.5

HOURS OF WORK AND MEAL/BREAK PERIODS

Department supervisors shall determine and establish a daily and weekly schedule of normal work hours necessary to provide services. The schedule may be temporarily changed in order to meet emergency or other defined needs. It is the personal responsibility of each employee to be at his/her workstation and fully prepared to begin work at the time the scheduled work hours begin. Employees are not permitted to alter work hours without the permission of the supervisor. Altering work hours includes arriving early and then leaving early and/or arriving late and staying late. Employees are not authorized to trade hours without the permission of the supervisor.

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An employee who works 7 1/2 .5 continuous hours or more shall be provided an unpaid meal period of at least 30 minutes and two 15-minute paid breaks. Employees may schedule their own meal/break periods as long as meal/break periods are staggered to ensure department coverage. Breaks are not permitted at either the beginning or end of the workday to offset arrival and departure times. An employee who works in excess of 7.5 continuous hours must take an additional unpaid meal break of at least 30 minutes for every additional 4.5 continuous hours worked. Meal time does not include reasonable time spent using the restroom facilities. RAILS compensates rest or break time as work time but not unpaid meal periods.

The meal period must be taken no later than five hours after beginning work. Employees must be completely relieved of all duties during their meal break. If a non-exempt employee is required to perform any work during this time, the meal period will be considered compensable. Employees on rest or meal breaks cannot interfere with employees who are working.

Commented [MM1]: ► Send to legal: any necessary changes?

Commented [SD2]: Breaks are not permitted at either the beginning or end of the workday to offset arrival and departure times.

Commented [SD3]: It is important to clearly state that non-exempt employees must be fully relieved of all job duties during their meal periods. Any interruption or requirement to perform work during this time may make the meal period compensable under wage and hour laws.

Recommendation:

The following language, adapted from SHRM guidance, could be adopted:

Employees must be completely relieved of all duties during their meal break. If a non-exempt employee is required to perform any work during this time, the meal period will be considered compensable. All time spent working during a meal break must be recorded and will count toward total hours worked.