OM 3.4.5 Rest Periods - General Staff

Policy Purpose

This policy clarifies the time allotments and requirements for scheduling breaks for non-exempt employees under the Fair Labor and Standards Act.

Policy Summary

Break periods are intended to give an employee a chance to renew attention and energy after working for an extensive period so that he or she can remain productive and efficient in performing assigned tasks.

Policy Statement

Breaks are considered time worked. Most jobs do not require or lend themselves to scheduled breaks, since employees are allowed to take a break when the need arises as work permits. Breaks may be scheduled, if necessary, due to the nature of a particular job which does not permit the opportunity for employee discretion or flexibility. Break time, whether scheduled or flexible, should not exceed 15 minutes. Employees should take one fifteen-minute break in the morning and one fifteen-minute break in the afternoon. Breaks cannot be accumulated or saved. The intended purpose of a break would not be fulfilled if they were not taken at the appropriate intervals; therefore, breaks may not be used to compensate for absences such as arriving late or leaving work early, or to extend meal periods.

Occasionally, due to operating requirements, supervisors may need to temporarily modify break and meal periods.

Procedures

Non-exempt employees may not skip rest periods in order to shorten the work day, or to earn extra paid leave. Rest periods may not be saved for later use, accumulated, or used to compute additional pay.

Generally, rest periods should be taken, but they may be omitted occasionally if required by the work load. Extra compensation is not provided if rest periods are missed.

Scheduling

Department heads will schedule rest periods to avoid disrupting normal operations.

Rest period practices may be set by individual departments, within the framework of this policy, and must be communicated to affected employees.

Members of the Collecting Bargaining Unit please refer to section 18.3 of your agreement on break procedure.

History