California Meal and Rest Break Sample Policy

OVERVIEW
This breaks policy (hereinafter referred to as “this Policy”) is effective (date ________) and supersedes any previous policies and/or practices applying to California rest and meal breaks during work hours.

The provision of this Policy applies to all non-exempt employees of (Company Name _________________________), regardless of their position or length of employment.

PURPOSE
This break Policy outlines the requirements and guidelines for meals and rest breaks as mandated by California state labor laws for employees of (Company Name _________________________). The company is committed to ensuring that employees receive adequate breaks during their work hours to maintain their health, well-being, and productivity.

POLICY
We are committed to allowing all employees to attend to their needs during their workday. Within their working hours, our employees are entitled to the following breaks:

MEAL BREAKS
Employees in California are entitled and should take an unpaid meal break of at least 30 minutes when working for more than 5 hours per day.
The first meal period should be taken no later than the end of the 5th hour of the employee’s shift.
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Employees who work longer than 10 hours per day but not less than 12 hours are entitled to a second, unpaid, 30-minute meal break.

Eligible employees working less than 5 hours daily do not get a lunch break.

We advise you to talk to your manager and determine the best time to take your meal breaks.

For certain positions, we may need to create a schedule for California meal breaks so that it doesn't negatively impact the Company's operations.

During this meal break time, the employee should be relieved of all work duties. They are free to leave the premises during this time if they desire.

If the nature of your job prevents an employee from taking an uninterrupted meal break or being obliged to stay at your workplace for work-related reasons, you will be compensated for the missed break time at the standard work rate.

If an employee cannot take their required meal break for any reason, the employee must notify their supervisor before or when the employee is unable to take the meal break.

Meal periods must not be combined with rest breaks or taken at the beginning or end of the scheduled workdays in order to arrive at work or leave work early.
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REST BREAKS
Employees who work 4 hours or a significant fraction of a work period must take a 10-minute paid rest break. Eligible employees who work less than three and one-half (3.5) hours are not entitled to a rest break.

The number of breaks provided should be as follows:

- Non-exempt employees who work between 3.5 and 6 hours in a single workday are entitled to one 10-minute rest break.
- Non-exempt employees who work over 6 hours but do not exceed 10 hours are entitled to two 10-minute paid rest breaks.
- Non-exempt employees who work over ten and up to 12 hours in a single workday are entitled to three 10-minute paid rest breaks.
- Eligible employees who work more than 14 hours may be entitled to additional rest breaks. They must consult their manager or leader, who will inform you about any additional breaks required.

While you're not obliged to take a break, we strongly recommend it for your health and well-being.

As these breaks are paid, they count towards your standard and overtime hours. You don't have to clock out when taking a rest break.

During rest breaks, please avoid distracting other workers who are not on break.
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UNFORESEEN BREAKS
The Company is aware that sometimes unforeseen events occur, and you may need a break to manage them. In such cases, consult with your manager for a break.

If you need a break lasting more than _____ minutes, ask your manager for partially paid time off or sick leave.

COMPLIANCE
It’s the responsibility of the employer to communicate the meal and rest break laws to employees.

Employees must accurately record their meal breaks' starting and ending times on the Company's timekeeping system.

Managers should ensure that employees know their rights to meal and rest breaks and encourage them to take breaks as required by the law.

The Company strictly prohibits retaliation against employees for taking their required meal and rest breaks.

The Company should monitor compliance with this policy and address any violations quickly. Employees can report concerns about the breaks or potential policy violations to their immediate manager, supervisor, or Human Resource representative.
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POLICY VIOLATIONS
While we want our employees to have an opportunity to rest and recharge during the working day, we will monitor the use of breaks.

Any employee who violates the California Meal and Rest Break Policy will be subject to disciplinary action.

By abuse, we consider:

- Taking breaks that are too long.
- Taking too many breaks.
- Abusing the unforeseen break time.

POLICY CHANGES
(Company Name) _____________________ has the right to modify or terminate this Policy at its sole discretion due to legislative changes or other reasons.

Date: ________________

Employee’s signature: ________________