
Franciscan Health System

St. Joseph Medical Center

POLICY & PROCEDURE

POLICY NAME: MEAL AND REST PERIODS

POLICY #: 250

DATE ADOPTED: 10/02

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REVISION DATE(S): 8/04, 6/07, 8/09, 7/11, 7/12

PURPOSE

To provide employees with meal and rest breaks in accordance with State and Federal Law and Washington Administrative Code (WAC 296-126-092).

POLICY

It is the policy of St. Joseph Medical Center to ensure that employees comply with State and Federal Law as related to meal and rest breaks.

I. PROCEDURE

A. Meal Breaks

1. Each non-exempt employee shall be allowed an unpaid meal period of thirty (30) minutes for each shift of more than five (5) hours. The meal period shall be taken between the second (2nd) and fifth (5th) working hour. Meal breaks shall not be taken at the beginning or the end of the day so as to shorten the workday.
2. Meal periods shall be on the employee's time provided the employee is completely relieved from duty during the stated thirty (30) minute period.
3. If the employee is required to remain on duty on the premises or at a prescribed workplace for the benefit of the employer, the meal period shall be paid for as time worked.
4. Employees working a twelve (12) hour shift will be allowed one (1) additional paid thirty (30) minute meal break to be taken on the premises no later than five hours after the end of the first meal period. Employees who work a twelve (12) hour shift should be allowed their meal periods so that an employee does not work more than five consecutive hours without a meal period at any time during their shift.

5. Employees working three (3) or more hours longer than their regularly scheduled work day will be allowed a thirty (30) minute meal period prior to or during the extended work period.
6. In unique circumstances supported by operational needs and/or innovative schedules, meal period waivers may be authorized subject to approval by the HR Representative.
7. Hourly employees who do not receive their unpaid thirty (30) minute meal period will be paid for the meal period at the applicable rate of pay. The employee must document the missed meal break on the exception log of the electronic timekeeping system, during the pay period in which it was missed.

B. Rest Breaks

1. Non-exempt employees shall receive one fifteen (15) minute paid rest break for each four (4) hours of consecutive work. Rest breaks should be scheduled at or near the middle of each one half (½) shift but no later than three (3) hours after the beginning of each one half (½) shift. Rest breaks shall not be scheduled at either the beginning or the end of the shift and shall not be scheduled around the meal break. Rest breaks may be taken intermittently and need not be regularly scheduled, depending on the nature of the work.
2. Hourly employees who, due to unforeseen operational demands, are not permitted to take a rest break will be paid for the missed rest break at straight time. The employee must document the missed rest break (15 minutes) on the exception log of the electronic timekeeping system, during the pay period in which it was missed. Employees are also expected to notify management if they experience a trend of missed rest breaks.

II. RESPONSIBILITY

A. Supervisors

1. Supervisors will ensure employees are offered breaks to the best of their ability.
2. Supervisors will address concerns from employees who report they are consistently unable to take breaks.
3. Supervisors will address employees who are scheduled for meal or rest periods and who consistently miss them. Refusal to take breaks in accordance with policy may be considered insubordination, except in extenuating circumstances.
4. Supervisors will ensure that employees are paid for any missed break as described herein.

B. Employees

1. Employees are expected to take rest and meal periods in accordance with this policy and may not refuse to take breaks.
2. Employees are required to notify management if operational circumstances are consistently such that they are unable to take their breaks.
3. Employees are responsible for accurately recording missed breaks on the timekeeping exception log in order to be appropriately compensated.
4. If an employee carries a pager or other type of communication device, it must either be turned off or handed off to another staff member during the 30 minute unpaid meal period in order to provide for an uninterrupted meal period.
5. If a meal period is interrupted, the employee will document this on the timekeeping exception log and the meal period will be paid. Employee is expected to resume the interrupted meal period until 30 minutes of meal time has been met.
6. Employees will take a minimum of a thirty (30) minute meal period unless directed by the supervisor to take less than thirty (30) minutes.
7. Employees will work in a collaborative manner with their supervisor and other staff members to ensure all applicable staff are able to take meal and rest periods.
8. Repeated failure to take breaks without good reason, (e.g. due to the employee's refusal to leave a patient in another's care, inefficiency, poor organization, or other like reasons) can lead to discipline up to and including termination.
9. Employees may request to waive certain requirements under this policy. Such request will require a signed waiver and include approval by the employees Supervisor and the HR Department.

C. HR Department

1. The HR Department is responsible for maintaining the electronic time and attendance system to ensure that it correctly meets the pay requirements under this policy.
2. The HR Representative will review and approve/deny all meal period waivers.

NEXT REVIEW: 6/14
REQUIRED REVIEW: Human Resources, Legal Counsel
POLICY REPLACES: Policy #280 *Pay Practices*
DOCUMENTATION: Time Keeping Exception Log
REFERENCE: Fair Labor Standards Act
Washington Administrative Code (WAC 296-126-092)