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Meal Break Policy

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Policy Timeline

Initial Effective Date: 4/1/2024

Frequency of Review:

☐ Semiannually (twice per year)

☐ Annually

☒ Biennially (every two years)

☐ Other: _____

Date(s) Revised:

Policy Overview

Employees working greater than seven hours per day will be granted a meal break to renew attention and energy after working for an extensive period so they can remain productive and efficient in performing assigned tasks.

Exempt employees will coordinate meal breaks with their supervisor. Typically, this meal break should not exceed an hour per workday. Exempt employees are encouraged to take time away from work to eat for at least a thirty-minute break, however some positions, schedules or staffing may necessitate a working lunch at times.

Non-exempt, hourly employees must coordinate their meal breaks with their supervisor to ensure service levels are maintained. Meal breaks are unpaid, considered personal time, and employees are encouraged to leave the immediate work area in order to eat and relax. Meal breaks must be at least thirty-minutes but may be up to one hour. Hourly, non-exempt employees must clock out for meal breaks using the University's approved timekeeping system. Occasionally, due to operating requirements, supervisors may need to temporarily modify meal breaks. This may include situations where an employee will be paid during their meal break due to anticipated interruptions, staffing and/or operational needs.

The University relies on all employees to accurately report working time, non-working time, and leave time so employees are properly paid under the minimum wage and overtime or exemption requirements of the Fair Labor Standards Act. It is the employee's responsibility to review timecards and records in advance of submission to payroll. The Human Resources Department and the Business Office assume the payroll time cards and time reporting records accurately reflect the employee's time worked, attendance, leave time, and meal breaks for the applicable payroll period. Employees are obligated to promptly notify their immediate supervisor or the Human Resources Department of any discrepancy or error in a timecard or payroll record, including interruptions requiring non-exempt employees to work during an unpaid meal break. This will allow the supervisor and Human Resources the opportunity to review the issue and make pay adjustments in a timely manner.

Applies to: (examples—Faculty, Staff, Students, etc)

Faculty, staff, students, others

Table of Contents: (optional; suggested for policies > 8-10 pages)

N/A

Definitions: (optional; suggested for terms that have specialized meaning in the policy)

<u>Term</u>	<u>Definition</u>
Exempt Employees	Employees in positions that are exempt from overtime under the Fair Labor Standards Act (FLSA). Positions include professors, administrators and professional staff.
Non-Exempt Employees	Employees in positions that are not exempt from overtime under the Fair Labor Standards Act (FLSA). These employees are hourly and are required to clock in and out for breaks of work and certain non-work breaks, such as meal breaks of at least 20 minutes.

Policy Details

Employees working greater than seven hours per day will be granted a meal break.

1. Meal Breaks

- a. Meal breaks should be coordinated with an employee's supervisor to ensure a meal break can be provided at a time when it will minimize deficits to operational capacity and service.
- b. Meal breaks are granted to employees working a full-day's shift of at least seven hours.
- c. Many employees may eat meals in their workspace or "on-the-go" as determined by the supervisor, but, preferably, out of view of visitors or guests if the employee works in a public setting. Some employees may have meal locations limited based on health, safety, or other work concerns. For example, employees may not eat

meals in teaching or research labs or in maintenance areas requiring restrictions or PPE for safety.

- d. Supervisors need to ensure that meal breaks regularly occur and that meal breaks are not interfering with service levels or operations. Failure of employees to return from lunch at the scheduled time can result in corrective action.
- e. Employees are not permitted to forego a meal break in favor of adjusting their schedule without advance written support from their supervisor. For example, an employee cannot skip their meal in order to leave work an hour early.
- f. It is the employee's responsibility to review timecards and records in advance of submission to payroll. Employees are obligated to promptly notify their immediate supervisor or the Human Resources Department of any discrepancy or error in a timecard or payroll record, including interruptions requiring non-exempt employees to work during an unpaid meal break. This will allow the supervisor and Human Resources the opportunity to review the issue and make pay adjustments in a timely manner.

2. Exempt employee meal break

- a. Exempt employees may take a meal break during the workday of one hour, but this can be reduced to thirty minutes. During certain situations such as peak periods, or limited in-person staffing, some employees may be required to take a working lunch at times.
- b. Exempt employees' hours worked are not tracked due to the nature of their positions. Exempt employees taking a meal break do not clock out for meal breaks, and while all exempt employees are encouraged to step away from work to take a meal period, the employee may do some work during this time.

3. Non-exempt, hourly employee meal breaks

- a. Meal breaks of at least 20 minutes are unpaid. Meal breaks are usually 30 minutes in length but may be assigned as one hour in some circumstances.
- b. It is the employee's responsibility to clock out and back in from the meal break using the appropriate timekeeping software. Meal break punches must be accurately entered to reflect the meal break. Should meal break punches be made in error or need correction, it is the employee's responsibility to notify their supervisor as soon as possible to allow for the time record to be corrected as soon as possible to reflect the actual time away from work on a meal break.
- c. Supervisors will assume that the time recorded is accurate unless an employee reports an error.
- d. Meal breaks are expected to be thirty minutes but may be scheduled by a supervisor for up to one hour.
- e. Meal breaks are considered personal time. Employees are encouraged to leave the immediate work area to eat and relax. Non-exempt, hourly employees are not allowed to do any work while on a meal break.

- f. Should the meal break be interrupted by work, such as an emergency, the employee must clock in immediately and make a note in the timekeeping system as to why the meal break was interrupted. If the meal break at the time of the interruption was at least twenty minutes when the employee clocks back in to work, the unpaid meal break will be concluded. If it is less than twenty minutes, the employee shall be scheduled for an uninterrupted meal break later in their shift or the prior meal break will be left as paid time. It is the employee's responsibility to note in the system when a meal break is interrupted.

Responsibilities

<u>Position/Office/Department</u>	
Employees (Non-Exempt)	Clocking in and out for meal breaks. Ensuring time records are correct. Notifying supervisor if changes are needed, including for instances where called back to work prior to meal break ending.
Employees (Exempt)	Coordinate meal breaks into workday with supervisor.
Supervisors	Ensure hourly, non-exempt employee meal breaks occur based on schedule and business needs. Record instances of changes or edits requested by employees to meal breaks. For supervisors of exempt staff, ensure that meal breaks are not interfering with service levels or ability to get the work done.

Resources (required for any resource referred to in the policy)

Policy Contacts

<u>Name</u>	<u>Contact Information</u>
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POLICY APPROVALS

POC: ☒ **Approved as to Form** ☐ **Not Approved**

POC Chair Signature: Dan Bauer

Date: 4/22/2023

Policy Sponsor: ☒ **Approved** ☐ **Not Approved**

Signature: *D. Bauer*
Daniel Bauer (May 7, 2024 18:15 CDT)

Date: 4/22/2023

President: ☐ **Approved** ☐ **Not Approved**

Signature: *Brian Seiz*
Brian Seiz (May 8, 2024 08:51 CDT)

Date: May 8, 2024

Board of Trustees: ☐ **Approved** ☐ **Not Approved** ☐ **Not Applicable**

Chair Signature: No Board approval needed

Date: