

REST PERIODS AND MEAL BREAKS

Applicability: This policy applies to all Oak Hill employees.

Oak Hill encourages all employees to take the meal breaks and rest periods to which they are entitled. In general, employees who work more than four (4) consecutive hours per day are entitled to an unpaid 30 minute meal period (unless they work in a bargaining unit position that has been excluded as described below).

A. Non-bargaining Unit Employees

Administrative hourly employees who work 8 hours per day are paid for their half-hour meal breaks. These employees are also entitled to two paid fifteen-minute rest breaks. Employees in these positions may combine their lunch and rest breaks to allow one hour for lunch with approval by each employee's supervisor. Employees may not, however, take their meal and/or rest breaks at the end of the work day as leave time.

Some non-union employees may work in positions with work days shorter than eight hours. In such instances the entitlement to breaks and meal periods (if any) is reduced.

B. Bargaining Unit Employees

1. "No Break" Positions

Certain Oak Hill positions and program locations demand that employees work through their meal breaks. Oak Hill's contract with District 1199 has the most up-to-date list of locations where employees are not entitled to unpaid meal breaks. Employees in "no break" positions or locations are expected to be on duty for the entire shift. Employees in these positions will be provided with an opportunity to eat a quick meal or take a short rest; however, the employees may not leave the work site or consider themselves unavailable for duty.

2. Meal Break Positions

Employees who are eligible for unpaid meal breaks are required to punch out and back in when taking meal breaks. Employees may not perform any work while on meal break. They may leave the work location during their meal break. If an employee takes a meal break at the work site, the employee must remove himself or herself from regular work duties, including contact with program participants. Paid 15 minute rest period(s) may not be combined with unpaid meal breaks.

If an employee is interrupted by an emergency during a meal break and is required to return to duty, the break may be continued after attending to the emergency. In this case, the time of the break may be extended by the period of this interruption. Then, the employee should punch back in when returning to duty. He/she must leave the supervisor a written explanation of the event. If, during a break, the employee is onsite and interrupted by an emergency that requires a return to duty, the employee may find that it is not possible to complete a half-hour meal break. In this case, the employee must punch back in at the earliest opportunity and leave the supervisor a written explanation of the event.

Full-time bargaining unit employees are entitled to a paid fifteen-minute rest break during each half of their shift.

Failing to punch out and in from breaks or punching out or in too early or too late are infractions of Oak Hill's Attendance Policy and will subject employees to disciplinary action in accordance with Oak Hill's disciplinary policies.

C. Breaks for Nursing Mothers.

Nursing mothers may use their rest or meal periods to express breast milk. Oak Hill shall make reasonable efforts to provide a room or other location, in close proximity to the work area, other than a toilet stall, where the employee can express her milk in private. Nursing mothers may not store expressed milk in refrigerators used for program participants.

Cross-reference: Attendance
Compensation

Original Policy May 1, 2006
Revised January 1, 2008

Revisions to the policy were approved on December 7, 2011
The revised policy is effective December 23, 2011