



**Policy:** **Lunch and Rest Breaks**  
**Adopted:** M2007-0143  
**Effective:** 10/1/2007; 1/1/2022  
**Revised:** 12/7/2021

<b>Purpose</b>	To comply with <del>the Fair Labor Standards Act 29 CFR 785.18 and Minnesota Mandatory Work Breaks &amp; Minnesota Mandatory Lunch Breaks MS 177.253, 177.254</del> <u>federal and state wage and hour laws.</u>
<b>Policy</b>	<p>The City of Northfield will provide the following:</p> <ul style="list-style-type: none"><li>• Time to eat a meal for every employee who works eight or more consecutive hours.</li><li>• Time for a rest break once during each four consecutive hour period of work.</li><li>• Time to use the restroom as necessary.</li></ul>
<b>Full Time (40 hours per week)</b>	<p>The regular forty (40) hour week includes either:</p> <ul style="list-style-type: none"><li>• Two (2) separate fifteen (15) minute rest breaks during each workday, plus one (1) hour per day of non-compensable time for lunch</li><li>• Two (2) separate fifteen (15) minute rest breaks during each workday, plus one half (1/2) hour per day of non-compensable time for lunch</li></ul> <p>If the workday exceeds eight (8) hours, rest breaks are usually scheduled at the rate of one (1) fifteen (15) minute rest break for each four (4) hours worked per day.</p>
<b>Part Time – less than 40 hours per week</b>	Regular part-time employees are provided one (1) fifteen (15) minute rest break for each four (4) hours of work time per day.
<b>Continuity of Service</b>	Lunch breaks must be scheduled in such a manner to ensure continuity of service and should be scheduled so that a department is not left unattended during normal business hours.
<b>Working Through Lunch</b>	<p>If a non-exempt employee (eligible for overtime pay) is required to work while eating or to take a lunch break of twenty (20) minutes or less, the time will be considered “worked” and the employee will be paid.</p> <p>Incidental interruptions do not qualify as working through a lunch break. Working through lunch is the exception not the rule and must be authorized by the supervisor and is not to be done at the employee’s discretion.</p>
<b>Working Through Breaks</b>	There may be times during heavy workloads that an employee will be required to work through a rest break period. This does not extend the number of hours an employee is compensated for that day nor does it allow for the employee to use the time another day.
<b>Smoking breaks</b>	<p><del>Smoke breaks are prohibited other than on the employee’s rest or lunch break. Smoking is allowed in designated areas only.</del></p> <p><u>Nursing mothers and lactating employees will be provided reasonable paid break times</u></p>

**Commented [BF1]:** Employees can do whatever they want on rest breaks - you should not carve out smoke

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**PAID**  
**NURSING**  
**BREAKS**

to express milk for her infant child during the twelve months following the birth of the child, unless it would cause undue business disruption. The paid break time times must, if possible, run concurrently with any break times already provided. The city will provide a room (other than a bathroom) as close as possible to the employee's work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private.

The following is prohibited:

- Skipping breaks to take a longer lunch
- Skipping breaks or lunch to come in late
- Skipping breaks or lunch to leave early

**Prohibited**

**Exceptions**

Emergency and or business necessity exceptions to this policy must be in writing from the supervisor and pre-approved in writing from the Human Resource Director and City Administrator.

**Violation**

Violation of this policy will be subject to discipline up to and including discharge.