

MEAL and BREAK PERIODS

I. PURPOSE

To ensure that District employees have a scheduled meal and break period.

II. SCOPE

This policy applies to all eligible employees unless otherwise covered by a Memorandum of Understanding (MOU) or employment agreement.

III. DEFINITIONS

Meal period – A designated period of time (generally a minimum of thirty (30) minutes) in which employees are able to leave their workstation and are completely relieved from duty for the purpose of eating regular meals. Such time shall not be considered as hours worked and shall not be compensated.

Break period - A designated period of time (generally fifteen (15) minutes or less) in which employees are allowed a rest break from duties. Such time shall be considered as hours worked and shall be compensated. Additional break time for an employee to express breast milk shall not be considered as hours worked and shall not be compensated.

IV. POLICY STATEMENT

It is the policy of Shelby County Schools to provide meal and break periods to eligible employees. Employee eligibility for meal and break periods shall be in accordance with federal and state requirements and District guidelines.

A. Employee Eligibility

1. Work six (6) hours or more per day
Employees working six (6) hours or more per day shall be entitled to a minimum of thirty (30) minutes uninterrupted duty free meal period; and a minimum of two (2) fifteen (15) minute break periods.
2. Work more than two (2) hours but less than six (6) hours

Employees working more than two (2) hours but less than six (6) hours shall not be entitled to a meal period but shall be entitled to one (1) fifteen (15) minute break period.

3. Work less than two (2) hours

Employees who work less than two (2) hours shall not be entitled to a meal or break period.

Break periods shall be assigned at the discretion of the appropriate supervisor based upon the operational needs of the office/department.

B. Additional Unpaid Break Time for Nursing Mothers

Reasonable break times for an employee to express breast milk for her nursing child shall be made available in accordance with federal and state statutes. Such break periods not running concurrently with any paid break period provided to the employee (see section A. Employee Eligibility for Paid Break Periods, above) shall be unpaid. Additional break times for the purpose of expressing breast milk shall not be provided if to do so unduly disrupts the operations of the District.

C. Scheduling of Meal and Break Periods

Meal and break periods shall be scheduled by the employee's supervisor in keeping with work schedules and work load demands/permits.

D. Compensation for Meal and Break Periods

1. Meal periods

Meal periods shall not be recognized as compensable work time.

Exception: Non-exempt employees (see policy [4054 Employment Classification](#)) required to perform any work duties, whether active (e.g., an employee who is required to monitor his/her machine while eating) or inactive (e.g., an office employee who is required to eat at his/her desk to answer the telephone or respond to customers, even if no calls are actually received), during a meal period shall be compensated for such time.

2. Break periods

Break periods, with the exception of additional break periods for nursing mothers, shall be paid by the District. Break periods shall not be considered as cumulative and the extension and/or combining of paid break periods and use of paid break periods at the beginning or end of a work shift shall be prohibited.

IV. RESPONSIBILITY

- A. The immediate supervisor is responsible for ensuring that
 - 1. employees are aware of the length of meal and break periods upon initial employment and changes in the lunch and/or break period; and
 - 2. lunch and break periods are not abused.
- B. The office responsible for human resources shall be responsible for interpreting and administering this policy.
- C. The Superintendent is responsible for ensuring that this policy is followed.

Legal References:

- 1. TCA 50-1-305
- 2. Fair Labor Standards Act

Cross References:

- 1. 4054 - Employment Classification