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Rest Breaks and Meal Periods – Tips to Stay in Compliance

Keeping on top of employment laws can be a daunting task. One of the areas Oregon dairy farmers need to be aware of is the requirement to provide rest breaks and meal periods to non-exempt employees. This article provides highlights of some important information.

Rest Break requirements:

- One 10-minute paid rest break for every four hours worked;
- Taken around the middle of the 4-hour segment.

Meal Period requirements:

- One 30-minute unpaid meal period for every 6 hours worked.
- Timing: If the shift is 6-7 hours, the meal period must be taken between the 2nd and 5th hour worked. If the shift is more than 7 hours, the meal period must be taken between the 3rd and 6th hour worked.
- Oregon law provides only a few very limited exceptions to these general requirements.

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Best Practices:

- Ensure breaks and meal periods are taken. Have a written policy. Train your supervisors.
- Document. Keep time cards, signed weekly statements and supervisor logs. If an employee misses a break or meal period, document it and the reason why.
- Communicate. Make it clear to employees that breaks and meal periods are mandatory. This means no adding breaks to lunch and no forfeiting breaks or lunch to arrive late/leave early.

Risks:

Employees do not have the right to sue over a missed rest break or meal period alone, but costly wage claims are possible if missed meal periods result in unpaid work time.



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