

UMass Memorial Medical Center Policy

4072 Meal Periods / Work Breaks	
Developed By: Human Resources Department	Effective Date: 9/30/2011 Approved by: Walter Ettinger, MD - President
Applicability All UMass Memorial Medical Center employee excluding those covered by a Collective Bargaining Agreement	Rescission: Supersedes policy dated: 2/5/10
Keywords: Lunch time, Meal Break, Breaks, non-exempt	

I. **Policy:**

To establish a procedure for non-exempt employees to take meal periods and work breaks from work-related activities.

Meal periods and work breaks may not be used to offset time lost because the employee came in late or left early.

Meal Period

UMass Memorial provides all non-exempt employees with a 30 minute consecutive uninterrupted unpaid meal period for each work day that an employee works 6 consecutive hours and is able to leave the facility during their meal periods.

Voluntarily Waiving Right for Meal Period

If approved by his or her manager, an employee may voluntarily waive his/her right to this 30 minute consecutive uninterrupted unpaid meal period. On those occasions where an employee continues to work through his/her meal period, either voluntarily or because he/she is interrupted or called back to work, the entire meal period is considered working time.

Interrupted or Missed Meal Period

If an employee's meal period is interrupted or missed for any reason such that the employee does not receive a 30 minute consecutive uninterrupted meal period on each day that the employee works more than six consecutive hours, it is the employee's responsibility to report the missed or interrupted meal period to their manager as soon as practicable in the same work week. **It is the employees' responsibility to select the "no lunch" option offered on the Kronos time clock after they have clocked out at the end of work. If the employee records time on a time sheet, it is the employees' responsibility to write in "no lunch" on the time sheet when recording their stop time at the end of work.**

Pager/Two-way Radio/Dept Cell Phone

If a non-exempt employee carries a pager, two-way radio and/or dept cell phone, it is the employee's responsibility to turn off the pager, two-way radio and/or dept cell phone during the meal period. On each work day that an employee works 6 consecutive hours, if the employee is required by his or her manager and/or supervisor to keep his/her pager, two-way radio and/or dept cell phone turned on during his/her scheduled meal period because of operational needs, **and** the employee is paged or called and required to work during his/her meal period, the employee will be compensated for the entire meal period.

Required to Remain on the Premises

On each work day that an employee works 6 consecutive hours, if an employee is required by his or her manager and/or supervisor to remain in the facility during his/her scheduled meal period, the employee will be compensated for the meal period.

Work Break

Subject to workload and/or coverage requirements of individual units or departments, a work break of fifteen minutes or shorter may be allowed for non-exempt employees for each half day worked. Work breaks are considered to be time worked and are paid. This work break is not guaranteed, and employees will not be paid or otherwise compensated for missed and/or interrupted work breaks.

II. Definitions:

Meal Period - 30 minute consecutive uninterrupted unpaid meal period each work day that an employee works 6 consecutive hours and is free to leave the facility.

Non-Exempt- A "Non-Exempt" employee is subject to the minimum wage and overtime provisions of the Federal Fair Labor Standards Act (the "FLSA") and Massachusetts state law.

Work Break - 15 minutes or less of paid time during which employees may take time away from work-related activities, which may be given at the discretion of UMass Memorial.

III. General Procedure:

Department managers will schedule meal periods and work breaks. An employee may request a change in the break schedule by speaking directly with his/her supervisor. Such requests will be considered subject to workload and/or coverage requirements.

IV. Clinical/Departmental Procedure: N/A

V. Supplemental Materials: N/A

VI. References: N/A