Under California Law
Rest & Meal Breaks may not be waived, combined, or skipped to leave early or come in late.

**Combining breaks** - Rest breaks and/or meal breaks cannot be combined. A 15 min rest break must be taken in the middle of the 4-hour work period & cannot be combined with another rest break or a meal break. (State of California Wage and Hour rules). The break needs to be taken about two (2) hours into the work period. The purpose of this language in the State rules is so that the breaks provide a respite from work about every two (2) hours during the shift.

**Quick Reference Chart**

<table>
<thead>
<tr>
<th>Shift</th>
<th>Rest Breaks (15min)</th>
<th>Meal Break (30min)</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 hour shift</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>10 hour shift</td>
<td>2</td>
<td>2*</td>
</tr>
<tr>
<td>12 hour shift</td>
<td>3</td>
<td>2*</td>
</tr>
</tbody>
</table>

*2nd Meal Break waived by signed agreement
Human Resources Policies and Procedures

Rest Breaks
ECH will provide a rest break of 15 minutes for every 4 hours worked. To minimize disruption to the department, management may schedule the rest periods. Rest break time is paid time; the RN may leave the workstation, but must return no later than the end of the rest period. Failure to provide the employee a rest period for every (4) four hours worked will require the employee to be paid (1) one hour of pay at employee’s regular rate.

Meal Breaks
Meal break is required if working more than 5 hours. Meal periods must be at least 30 minutes where the employee is completely relieved of all duties and is free to leave the workstation and the work site. If an employee is required to work during the meal period or is unable to take an uninterrupted meal break, she/he will be paid for the meal break as time worked. If overtime is incurred because of a meal break worked, employee will be paid in accordance of ECH overtime policies.

Failure to provide the employee a meal break according to the current wage order will require the employee to be paid one (1) hour of pay at regular rate of compensation.

Taking your Rest and Meal Breaks for the Good of All.

We all need to take a break from time to time to recharge. A break may not be taken because you do not feel ready to go, or want to catch up on work. No matter the reason, foregoing a break hurts all nurses throughout ECH. ECH assumes that staff are receiving their breaks in accordance with State Law, unless they receive a notification of missed Rest/Meal break form. RN’s need to be vocal about missed or untimely breaks. Your unit may require more break relief to accommodate providing all breaks in a timely manner. Staff may only complete all work on time by skipping breaks. This data is vital for ECH to provide you with the proper support and to comply with the law. Please contact PRN with any questions or concerns with receiving Rest/Meal Breaks.

Code 45 & When it applies

An employee’s meal break must be started before the end of the 5th hour of work. Staff are entitled to code 45 if a meal break is not offered prior to the end of the 5th hour. (If a meal break is offered but staff request to go at a later time, they are no longer are eligible for code 45). Remember Meal breaks must be uninterrupted and free of all duties to qualify as a break. Notification of Missed Rest Break and/or Meal Break must be submitted to your manager on the day of the occurrence. Fill out timecard for one hour to SHIFT 1, Pay CODE 45. (this is for a missed break or missed meal)