

California

Required Meal Breaks

Employers must provide a 30-minute meal period to employees who work more than five hours per day. If the total work period per day is no more than six hours, the meal period can be waived by mutual consent.

While employers must make meal periods available, they need not ensure that they are taken. Employers, however, cannot impede, discourage, or dissuade employees from taking meal periods.

Employers must provide a second meal period of at least 30 minutes to employees who work more than 10 hours per day. If the total work period per day is no more than 12 hours, the second meal period can be waived by mutual consent but only if the first was not.

Employees need not be compensated for meal breaks, if they are relieved of all work during the period and allowed to leave their employer's premises. However, if an employee is required to attend a luncheon, dinner, or other work-related meal, or training accompanied by a meal, the employer must pay for the cost of the meal and the employee must be paid at the employee's regular rate of pay. This time counts as work time for overtime purposes, and the employee continues to be entitled to a duty free 30-minute meal period.

Required Rest Breaks

Generally rest periods are not required. A 10-minute paid rest period, however, is required for every four hours worked by employees in manufacturing, personal service, canning, freezing, and preserving occupations; professional, technical, clerical, mechanical, and similar occupations; laundry, linen supply, dry cleaning, and dyeing occupations; mercantile occupations; agricultural-product preparation; amusement and recreation occupations; and broadcasting.

Breast-Feeding Breaks

Employers must provide a reasonable amount of break time to accommodate employees who want to express breast milk for their infants. Employers can require that this break time run concurrently with other break time already provided, if this is possible. If this break time does not run concurrently with rest time already provided, employers are not required to pay employees for the additional break time. Employers do not need to provide this break time if doing so would seriously disrupt operations.

Colorado

Required Meal Breaks

Employees are entitled to an uninterrupted and duty-free meal period of at least 30 minutes when the scheduled work shift exceeds five consecutive hours. Employees must be completely relieved of all duties and permitted to pursue personal activities for this to qualify as a non-work, uncompensated period of time.

When the nature of the business activity or other circumstances make an uninterrupted meal period impractical, employees must be permitted to consume an on-duty meal while performing work duties. Employees must be permitted to fully consume a meal of choice on the job and be fully compensated for the on-duty meal period.

Required Rest Breaks

Employees must receive a compensated 10-minute rest period for every four hours of work; breaks should be permitted as close as possible to the middle of each four-hour work period. It is not necessary that employees leave the work location for the rest period.

Connecticut

Required Meal Breaks

Employers must give employees working seven and a half or more consecutive hours a meal break of at least 30 consecutive minutes; the meal period must occur after the first two hours of work and before the last two hours.

The Department of Labor can exempt employers from the meal-break requirement if one of the following applies:

- the employer's compliance would be adverse to public safety,
 - the duties of a position can only be performed by one employee,
 - the employer employs fewer than five employees on a shift at a single place of business,
- or
- the continuous nature of an employer's operations requires that employees be available to respond to urgent or unusual conditions at all times and these employees are compensated for break and meal periods.

Employers and employees can enter into written agreements providing for a different schedule of meal periods.

Breast-Feeding Breaks

Employers must permit employees to express breast milk or breast-feed during their meal or break periods. Employers must make reasonable efforts to provide a room or other location, in close proximity to the work area, other than a toilet stall, where employees can express milk in private. Reasonable efforts means any effort that would not impose an undue hardship on business operations. Employers cannot discriminate against, discipline, or take any adverse employment action against any employee because she exercises her rights to breast-feed or express breast milk.

Delaware

Required Meal Breaks

Employers must allow an unpaid meal break of at least 30 consecutive minutes if an employee works for seven-and-one-half or more consecutive hours. The meal break must

occur after the first two hours of work and before the last two hours. This does not apply if a collective bargaining agreement provides differently. The Department of Labor may issue rules granting exemptions in cases where compliance would adversely affect public safety, when only one employee can perform the duties, when the employer has fewer than five employees on a shift, or when the continuous nature of the employer's operations requires employees to respond to urgent or unusual conditions at all times, provided employees are compensated for the meal breaks.

District of Columbia

Breast-Feeding Breaks

Employers must provide a reasonable daily amount of break time to accommodate employees who want to express breast milk for their infants. Employers can require that this break time run concurrently with other break time already provided, if this is possible. Breast-feeding breaks are unpaid. Employers do not need to provide this break time if doing so would create an undue hardship on the employer's operations.

Georgia

Breast-Feeding Breaks

An employer may provide reasonable unpaid breaks each day to an employee who needs to express breast milk for her infant. The break time shall, if possible, run concurrently with any other break time provided to the employee. An employer is not required to provide this break time if doing so would unduly disrupt the employer's operations.

Hawaii

Breast-Feeding Breaks

No employer may prohibit an employee from expressing breast milk during any meal period or other break period required by law or by a collective bargaining agreement.

Illinois

Required Meal Breaks

Employees working for seven-and-one-half continuous hours or longer must receive at least 20 minutes for a meal period beginning no later than five hours after the start of the work period. This provision does not apply to employees whose meal periods are established through a collective bargaining agreement.

Breast-Feeding Breaks

An employer must provide reasonable unpaid break time each day to an employee who needs to express breast milk for her infant. The break time may, if possible, run concurrently with any break time already provided to the employee. An employer is not required to provide this break time if doing so would unduly disrupt the employer's operations. In this context, "employer" includes any entity that has more than five employees, excluding the employer's parent, spouse, child, or other immediate family member.

Kentucky

Required Meal Breaks

Employers must provide a reasonable period for lunch. This lunch period must be as close to the middle of the employee's scheduled work shift as possible. Employees may not be required to take a lunch period sooner than three hours or later than five hours from the commencement of the work shift. This provision does not negate any provision of a collective bargaining agreement or a mutual agreement between the employee and the employer.

Required Rest Breaks

Employers must provide a rest period of at least 10 minutes during each four hours that an employee works. The rest period must be in addition to the regularly scheduled lunch period. No reduction in pay may be made for hourly or salaried employees.

Maine

Required Meal Breaks

Employees may use the 30 minutes of required rest time as a meal period.

Required Rest Breaks

In the absence of a collective bargaining or other agreement, workers cannot be required to work for more than six consecutive hours at one time without at least 30 consecutive minutes of rest time, except in cases of emergency in which there is danger to property, life, public safety, or health. This provision does not apply to businesses where fewer than three employees are on duty at one time and where the nature of work allows employees frequent breaks during the work day.

Massachusetts

Required Meal Breaks

No person shall be required to work for more than six hours a day without an interval of at least 30 minutes for a meal. Factories employing continuous manufacturing processes

can be exempted from this requirement with the approval of the Departments of Labor and Workforce Development.

Minnesota

Required Meal Breaks

Employees working eight hours or more must have sufficient time to eat a meal. Employers are not required to pay the employee during the meal break. Nothing prohibits employers and employees from establishing different meal periods pursuant to a collective bargaining agreement.

Required Rest Breaks

Adequate time within each four consecutive hours of work must be given to employees to visit the nearest convenient restroom. Nothing prohibits employers and employees from establishing rest breaks pursuant to a collective bargaining agreement.

Breast-Feeding Breaks

Every employer must provide a reasonable amount of unpaid break time each day to accommodate an employee who wants to express breast milk for her infant. The break time may run concurrently with other break time that is already provided, if this is possible. An employer does not need to provide this break time if doing so would seriously disrupt the employer's operations.

Mississippi

Breast-Feeding Breaks

Employers cannot prohibit employees from expressing breast milk during any meal period or other break period.

Nevada

Required Meal Breaks

Employees must be given a meal period of at least 30 minutes for a continuous work period of eight hours.

Required Rest Breaks

Employees must be allowed a rest period of at least 10 minutes for every four hours worked, without deduction from wages. No rest period is required if the total daily work time is less than 3.5 hours.

New Hampshire

Required Meal Breaks

Employers cannot require employees to work more than five consecutive hours without granting one half-hour lunch or eating period, unless it is feasible for them to eat during work and they are permitted to do so.

New Mexico

Breast-Feeding Breaks

Employers must provide flexible break times and a space for nursing mothers to express breast milk, effective June 15, 2007. The space must be clean and private, near the workspace, and not a bathroom. Employers are not liable for storage or refrigeration of breast milk, payment for a nursing mother's break time in addition to established employee breaks, or payment of overtime while a nursing mother is expressing breast milk.

New York

Required Meal Breaks

Every person employed in or in connection with a mercantile establishment must be allowed 30 minutes for the noonday meal.

The noon day meal period is recognized as extending from 11:00 a.m. to 2:00 p.m. An employee who works a shift of more than six hours that extends over the noonday meal period is entitled to at least 30 minutes within that period for a meal.

Every person employed for a period or shift starting before 11:00 a.m. and continuing later than 7:00 p.m. must be allowed an additional meal period of at least 20 minutes between 5:00 p.m. and 7:00 p.m.

Every person employed for a shift of more than six hours starting between the hours of 1:00 p.m. and 6:00 a.m. must be allowed at least 60 minutes for a meal period when employed in or in connection with a factory and 45 minutes for a meal period when employed in or in connection with a mercantile establishment at a time midway between the beginning and end of employment.

The Department of Labor may grant permits for shorter meal periods. The permit must be conspicuously posted in the main entrance of the establishment. Permits may be revoked at any time.

Breast-feeding Breaks

Employers must provide reasonable break time each day to allow employees to express breast milk for nursing children for up to three years following childbirth, effective Aug. 15, 2007. The break time may be a separate unpaid break, or employers may permit employees to use paid meal or break times. Employers must make reasonable efforts to

provide a room or location in close proximity to the work area, where employees can express breast milk in privacy. Employers may not discriminate against employees who choose to express breast milk in the workplace.

North Dakota

Required Meal Breaks

Employers must allow employees to take a 30-minute meal period in each shift exceeding five hours when there are two or more employees on duty. Employees need not be paid for meal breaks if they are relieved of all duties and the break is at least 30 minutes in length. Employees can waive their meal-break rights either in an individual agreement with their employers or through a collectively bargained agreement.

Oklahoma

Breast-Feeding Breaks

Employers must provide a reasonable amount of unpaid break time each day to employees who need to breast-feed or express breast milk for their infants. Employers are not required to provide the break time if it would create an undue hardship. Undue hardship means any action that requires significant difficulty or expense when considered in relation to factors such as the size of a business, its financial resources, and the nature and structure of its operation.

The break time, if possible, must run concurrently with any break time, paid or unpaid, already provided to employees.

Oregon

Required Meal Breaks

Employees must be given a meal period of at least 30 minutes for each work period of not less than six or more than eight hours during which they are relieved of all duties. If the work period is seven hours or less, the meal period is to be taken between the second and fifth hours worked. If the work period is more than seven hours, the meal period is to be taken between the third and sixth hours worked.

A meal period can be provided while employees continue to perform duties or remain on call if the meal period is not deducted from hours worked. This is permitted only in those cases where employers can show that the nature or circumstances of the work prevent employees from being relieved from all duty.

A meal period of less than 30 minutes (but no less than 20 minutes) is permitted if employers can show that industry practice or custom has established such a meal period.

The provisions regarding meal periods can be modified by the terms of a collective bargaining agreement if the provisions of the agreement specifically prescribe rules concerning meal periods.

Required Rest Breaks

Employers must provide all employees a 10-minute paid rest break for every four hours worked. The rest period must be in addition to and taken separately from the meal period. The rest break is to be taken in approximately the middle of each four hour segment, not added to the usual meal period, or deducted from the beginning or end of the work period.

The provisions regarding rest periods can be modified by the terms of a collective bargaining agreement if the provisions of the agreement specifically prescribe rules concerning rest periods.

Breast-Feeding Breaks

If employers of more than 25 employees are required by law or contract to provide employees with paid rest periods, employers must pay employees for rest periods to express milk up to the same amount required by law or contract. Employees must notify their employers that they intend to express milk when they return to work and also must, if possible, take the rest periods at the same time as other rest periods.

If employees take unpaid rest periods, employers can allow employees to work before or after the normal shift to make up the amount of time used during the unpaid rest periods.

If employees do not work to make up the amount of time used during unpaid rest periods, employers are not required to compensate employees for that time.

Puerto Rico

Required Meal Breaks

Employees must be given at least one hour for meals unless a shorter period is fixed for the convenience of employees, agreed to by employees and their employers, and approved by the Department of Labor and Human Resources. The meal period must begin after the third hour of work ends and before the sixth hour begins so that employees are never required to work more than five consecutive hours without a meal break. The department, however, can authorize a period for meals between the second and third consecutive hours of work.

A shorter meal period of no less than 20 minutes can be fixed at the mutual convenience of employees and their employer for croupiers, nurses, and security guards.

Breast-Feeding Breaks

Employers must provide two 30-minute or three 20-minute break periods every workday to mothers working full-time, so they can nurse or express breast milk for a 12-month period after returning to work from maternity leave.

A working mother who wishes to use these breaks must present her employer with a medical certificate during the infant's fourth and eighth months of life, certifying the mother is nursing her child.

Private employers who grant nursing breaks to employees will be exempt from paying yearly taxes equivalent to one month of the working mother's salary.

Rhode Island

Required Meal Breaks

Employers must provide all employees a 20-minute meal break within a six-hour work shift and a 30-minute meal break within an eight-hour work shift to all employees.

Employers are not required to compensate employees for their meal breaks. The meal break requirement does not apply to employers that employ less than three people on any shift at the worksite or to employers that are licensed health care facilities.

Tennessee

Required Meal Breaks

Employers must allow employees to take a 30-minute unpaid rest break or meal period if they are scheduled to work six consecutive hours. An exception is made for workplaces that, due to the nature of their business, provide ample opportunity for employees to rest or take the required meal break. Meal breaks cannot be scheduled during or before the first hour of scheduled work activity.

Required Rest Breaks

Employers must allow employees to take a 30-minute unpaid rest break or meal period if they are scheduled to work six consecutive hours. An exception is made for workplaces that, due to the nature of their business, provide ample opportunity for employees to rest or take the required meal break. Rest breaks cannot be scheduled during or before the first hour of scheduled work activity.

Breast-Feeding Breaks

Employers must provide a reasonable unpaid break time each day to employees who need to express breast milk for their infants. The break time can, if possible, run concurrently with any break time already provided to employees. Employers are not required to provide break time under this provision if to do so would unduly disrupt operations. Employers must make reasonable efforts to provide a room or other location in close proximity to the work area, other than a toilet stall, where employees can express breast milk in privacy.

Mothers have the right to breast-feed their children who are 12 months of age or younger in any location, public or private, where they and their children are otherwise authorized to be present.

Employers will be held harmless if reasonable effort has been made to comply with this requirement.

Vermont

Required Rest Breaks

Employers must provide employees with reasonable opportunities during work periods to eat and to use toilet facilities in order to protect the health and hygiene of the employees.

Breast-Feeding Breaks

Employers must provide reasonable time to employees to express breast milk for their nursing children. The time may be paid or unpaid, at the employers' discretion.

Employers must make a reasonable effort to provide appropriate private space that is not a bathroom stall. Employers may be exempted from these provisions if providing time or an appropriate private space for expressing breast milk would substantially disrupt the employers' operations.

Washington

Required Meal Breaks

Employers are required to provide employees with a 30-minute meal period beginning no less than two nor more than five hours from the beginning of the shift and an additional 30-minute meal period prior to or during an overtime period of three or more hours following the normal work day.

Meal periods will be on the employer's time when the employee is required by the employer to remain on duty on the premises or at a prescribed work site in the interest of the employer.

Required Rest Breaks

Employers are required to provide a rest period of at least 10 minutes for every four hours of working time. Rest periods must be scheduled as near as possible to the midpoint of the work period. No employee may be required to work more than three hours without a rest period. Where the nature of the work allows employees to take intermittent rest periods equivalent to 10 minutes for each four hours worked, scheduled rest periods are not required.

West Virginia

Required Meal Breaks

During a workday lasting six or more hours, employers must provide employees with at least 20 minutes for meal breaks.

When an employee is required to be on duty for 24 hours or more, the employer and employee may agree on bona fide meal and sleeping periods. If no expressed or implied agreement is made, eight hours of sleeping time and all lunch periods will count as hours worked.

Wisconsin

Required Rest Breaks

Rest periods of short duration (less than 30 minutes) are considered hours worked and may not be offset against other working time such as waiting or on-call time.

Employees required to be on duty for 24 or more consecutive hours may have up to eight hours sleeping time deducted from their wages per 24-hour period. If the employee is called to work during sleeping time, any time worked must be compensated. If sleeping time is interrupted to such an extent that the employee cannot get a reasonable night's sleep, the entire period must be paid.