

Best Practices – Meal & Break Unit/Department

- **Scheduling**
 - Design your schedule so that all employees have the opportunity to take their meals and breaks at times consistent with California law.
 - Provide daily break schedule to help staff remember to take their breaks.
 - Encourage staff to take their meals and breaks at the appropriate times.
 - Find out from Human Resources if any of your employees have not signed Meal Period Waivers.
- **Providing Meals and Breaks**
 - Whenever possible, ensure that employees either hand off hospital-provided communications devices when they take meals and breaks or set them so that calls are forwarded to the appropriate relief person.
 - Permit employees to leave the Facility for meals and breaks, as long as they are back and ready to work at the appointed time.
 - Use the Meal and Rest Period Policy to see when employees who work beyond their normal shift become entitled to additional meal and rest periods.
- **Timekeeping**
 - Encourage staff to always punch out and in for meals (automated) or to always record their meals as they occur on their timecards (manual)
 - Require staff to record their time for meals at the time they actually take their meals.
 - Remember that staff may not take their meals or breaks at the end of a shift, nor can they combine multiple breaks or meals into a single break of extended length.
 - If you have automated timekeeping, evaluate the location of your timeclock to ensure that it is in a location which provides the highest likelihood that staff will punch out and in for meals. If you think your clock could be in a better location, contact your Human Resources department.
- **Missed Meal Logs**
 - Provide your missed meal log sheets in a highly visible, easy to find location
 - Don't keep the log in an office or drawer which could be locked
 - Suggested locations include:
 - ✓ Above your timeclock
 - ✓ On an employee information board
 - ✓ In the department break room
 - Encourage your staff to enter missed meals and breaks on a regular basis, preferably on the day the missed meal/break occurs.
 - Employees need to enter their own log records of missed meals and breaks.

- Staff can only receive penalty payments for up to one missed meal per day and one missed break per day, for a maximum of two penalties per day.
- Review your log daily to discuss and authorize new entries.
- Keep a copy of the logs you submit to payroll for your records
- Submit logs to payroll each pay period, even if no missed meals were recorded
- Reconcile your log to the payroll edit sheets when they are received to ensure that all employees who missed a meal or break will receive the appropriate penalty payments
- Look for employees who did not punch out for a meal
- Look for employees who took short lunches
- **Communication**
 - Ensure that employees who are new to the unit/department understand how meals and breaks are scheduled and where to find the appropriate forms.
 - Remember to discuss meals and breaks in department staff meetings. Discuss the importance of taking meals and breaks as well as the recording of missed meals and breaks.
 - If handouts or agendas are provided, keep copies for archive.
 - Take minutes of meetings to be archived as a record of meeting.
 - If emails are sent out or received regarding meals and breaks, keep a hard copy for archive as well.
- **Audit and Performance-Related Issues**
 - Review your historic costs of penalty payments to identify trends or other possible concerns
 - You can use historic logs to identify shifts, periods of time, or specific employees that may be contributing to your penalty costs.
 - Remember that there is no one right number for penalty costs. A number too high may indicate that there are operational issues or that the process is being abused, but a number too low may indicate that staff are not logging their missed meals/breaks. Look to see that the log accurately reflects to unit's actual work flow and then identify where missed meals and breaks can be reduced.
 - Individual employees who may be abusing the meal/break process need to be consulted on the appropriate processes. Issues may include:
 - Not entering missed meals/breaks on the department log
 - Not punching/marking for lunch
 - Not taking meals or breaks
 - Taking meals or breaks at inappropriate times
 - If you need additional help with audits or performance issues, contact your HR department.