

EMPLOYEE MEAL PERIODS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Robles

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies Labor in General provisions to address meal periods.

Highlighted Provisions:

This bill:

- ▶ enacts the Employee Break Act, including:
 - defining terms;
 - providing for meal periods for public employees;
 - providing exceptions; and
 - requiring a public employer to develop a complaint process.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

34-49-101, Utah Code Annotated 1953

34-49-102, Utah Code Annotated 1953

34-49-201, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:



28 Section 1. Section 34-49-101 is enacted to read:

29 **CHAPTER 49. EMPLOYEE BREAK ACT**

30 **Part 1. General Provisions**

31 **34-49-101. Title.**

32 This chapter is known as the "Employee Break Act."

33 Section 2. Section 34-49-102 is enacted to read:

34 **34-49-102. Definitions.**

35 As used in this chapter:

36 (1) "Emergency responder" means:

37 (a) a law enforcement officer, as defined in Section 53-13-103;

38 (b) emergency medical service personnel, as defined in Section 26-8a-102; or

39 (c) a firefighter.

40 (2) (a) "Firefighter" means a member, including a volunteer member or member paid

41 on call, of a fire department or other organization that provides fire suppression and other

42 fire-related services of a political subdivision, who is responsible for or is in a capacity that

43 includes responsibility for the extinguishment of fires.

44 (b) "Firefighter" does not include a person whose job description, duties, or

45 responsibilities do not include direct involvement in fire suppression.

46 (3) "Public employee" means a person employed by:

47 (a) the state or an administrative subunit of the state;

48 (b) a state institution of higher education; or

49 (c) a county, a city, a town, a school district, a local district, a special service district, or

50 another political subdivision of the state.

51 (4) "Public employer" means an employer that is:

52 (a) the state or an administrative subunit of the state;

53 (b) a state institution of higher education; or

54 (c) a county, a city, a town, a school district, a local district, a special service district, or

55 another political subdivision of the state.

56 (5) "Work area" means an area in a place of employment where one or more employees

57 are routinely assigned and perform services for their employer.

58 Section 3. Section 34-49-201 is enacted to read:

Part 2. Breaks

34-49-201. Public employee meal periods -- Complaint procedures.

(1) For every eight hours that a public employee works in a 24-hour period, a public employer shall provide the public employee the opportunity to take an unpaid meal period that:

(a) is no less than 30 minutes;

(b) occurs no later than five hours after the public employee begins to work an eight-hour period; and

(c) allows the public employee to be relieved of all duties and to leave the public employee's work area during the unpaid meal period.

(2) A public employee is not required to take a meal period offered in accordance with Subsection (1).

(3) This section does not apply to a public employee who is:

(a) a minor with more beneficial meal period requirements imposed in accordance with Chapter 23, Employment of Minors; or

(b) an emergency responder.

(4) A public employer shall establish procedures for receiving, hearing, deciding, and appealing a complaint alleging a violation of this section.

Legislative Review Note
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Office of Legislative Research and General Counsel