

SB0163S01 compared with SB0163

~~deleted text~~ shows text that was in SB0163 but was deleted in SB0163S01.

inserted text shows text that was not in SB0163 but was inserted into SB0163S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Luz Robles proposes the following substitute bill:

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:

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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:

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

CHAPTER 49. EMPLOYEE BREAK ACT

Part 1. General Provisions

34-49-101. Title.

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

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

34-49-102. Definitions.

As used in this chapter:

(1) "Emergency responder" means:

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

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

(c) a firefighter.

(2) (a) "Firefighter" means a member, including a volunteer member or member paid on call, of a fire department or other organization that provides fire suppression and other fire-related services of a political subdivision, who is responsible for or is in a capacity that includes responsibility for the extinguishment of fires.

(b) "Firefighter" does not include a person whose job description, duties, or responsibilities do not include direct involvement in fire suppression.

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

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

(b) a state institution of higher education; or

(c) a county, a city, a town, a school district, a local district, a special service district, or another political subdivision of the state.

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

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

(b) a state institution of higher education; or

(c) a county, a city, a town, a school district, a local district, a special service district, or another political subdivision of the state.

(5) "Work area" means an area in a place of employment where one or more employees are routinely assigned and perform services for their employer.

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):~~

(c) an employee at:

(i) a hospital; or

(ii) a jail, prison, correctional facility, or other place of involuntary incarceration,

including a juvenile detention facility;

(d) a classified school employee;

(e) an employee of a utility owned and operated by a political subdivision of the state;

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or

(f) an employee covered by a collective bargaining agreement that includes meal period requirements.

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

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Legislative Review Note

———— as of 1-28-14 12:48 PM

———— ~~Office of Legislative Research and General Counsel~~