

MEAL BREAK POLICY

The intention of this policy is to set out the entitlements for employees of **<insert name of the employer>** ("Employer") in relation to meal breaks. An employee's entitlement to a meal break is subject to the relevant provisions of the applicable modern award, enterprise agreement, or contract of employment.

HOSPITALITY INDUSTRY (GENERAL) AWARD 2010

All employees subject to the *Hospitality Industry (General) Award 2010* are entitled to the following breaks during a shift:

Working Time	Break Entitlement (Unpaid)	Break Entitlement (Paid)
Between 0 and 6 hours	No break	No Break
More than 6 hours and up to 8 hours	Unpaid meal break of no less than 30 minutes	No Break
More than 8 hours and up to 10 hours	Unpaid meal break of no less than 30 minutes	20 minute paid break (which may be taken in 2 x 10 minute breaks by mutual agreement between the employee and employer)
More than 10 hours	Unpaid meal break of no less than 30 minutes	2 x 20 minute paid breaks

All unpaid meal breaks must be taken in one continuous 30 minute break, unless otherwise agreed to by the employer and individual employee. Such an agreement may be subject to the formal requirements of an Individual Flexibility Arrangement.

Employees are not entitled to rest pauses, unless otherwise agreed to by the employer and individual employee.

Requesting an unpaid meal break

An employee that is required to work more than five (5) hours and up to six (6) hours may request to take an unpaid meal break of up to 30 minutes during their shift. Such a request must be made in writing by completing the employee form titled 'Application for Unpaid Meal Break'. The request must be made before the commencement of a shift and will apply to all shifts undertaken by the employee of more than five hours and up to six hours, unless otherwise agreed to between the employer and individual employee. These arrangements can be reviewed at any time.

A request will be subject to the approval of the employer. **<Insert name of the employer>** will not unreasonably refuse a request.

When breaks are to be taken

<Insert name of the employer> will endeavour to ensure that all meal breaks are spread evenly across an employee's shift. Where an employee is entitled to an unpaid meal break, the break may be taken no earlier than two (2) hours after the employee starts work and no later than six hours after starting work, where practicable.

Breaks will be taken based on the operational requirements of the business and at a mutually agreed time between the employee and the employee's manager/supervisor.

Entitlement to additional breaks

If an employee is required to work more than five continuous hours after taking an unpaid break, the employee will be entitled to an additional 20 minute paid break.

If a full-time or part-time employee is required to work more than two hours' overtime after the employee completes their rostered shift, the employee will be entitled to an additional 20 minute paid break.

AWARD / AGREEMENT FREE EMPLOYEES

Award/agreement free employees will be entitled to a meal break in accordance with the terms and conditions of employment set out in their contract of employment.

Breaks will be taken based on the operational requirements of the business and at a mutually agreed time agreed between the employee and the employee's manager/supervisor.

RECORDING REQUIREMENTS

An employee is required to state on their timesheet the starting and finishing time of any breaks taken during a shift.

Failure to accurately state breaks taken during a shift on timesheets may result in disciplinary action, up to and including the termination of employment.

The Below Listed Policies / Documents Interact with this Policy:

- *Individual Flexibility Policy*
- *Application for Unpaid Meal Break Form*
- *Discipline and Termination Policy*

ACKNOWLEDGEMENT

I, _____ (full name) have read and understood the above information relating to this Meal Break Policy. I understand that this policy is binding on me but does not form part of my employment contract.

Signature of employee _____ Date _____

Signature of supervisor/manager _____ Date _____

Copy to personal file
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