

People & Culture Leader Guide - Meal Breaks & Rest Pauses

Endeavour Foundation Union Collective Agreement (2009)

This guide provides an overview of the provisions relating to meal breaks and rest pauses. The Endeavour Foundation Union Collective Agreement 2009 (ie EFUCA) is the industrial instrument outlining the provisions relevant to meal breaks and rest pauses covering the following employee groups within QLD:

- Support Workers
- Home Site Supervisors
- Recycling Attendant, Production Worker, Truck Driver, Re-Use Shop Assistant, PTL, Sales & Support Officer, Re Use Shop Coordinator, Foreman, EI Shift Supervisor

Provisions

It is important that employee requests regarding the way they use meal breaks and rest pauses are genuinely considered in alignment with the EFUCA. It is also important that open and clear communication occurs to ensure we are managing our obligations to our team members and our customers.

Meal Breaks

If an employee works more than 5 hours, they are entitled to a **minimum 30-minute** unpaid meal break, and:

- have this meal break rostered at/or between the fifth and sixth hours; **or**
- by agreement at another suitable time on any one day; **or**
- the employee and leader agree that the 30 min break will be taken during the final 30 minutes of the shift, and therefore the employee is entitled to an extra paid 15 mins at the ordinary rate. Where operational requirements of the business impact an employee's ability to have a meal break during their rostered shift, the employee must agree in writing to change the time of their meal break. This consent to have a later meal break can be withdrawn by the employee.

Meal Break Not Taken

If a meal break is not able to be taken, the employee is paid an additional 45mins ordinary pay (being 30 minutes for working through break and 15 minutes additional payment). Not taking a meal break shall only be as a result of the operational requirements of the business impacting the ability of the staff member to have a meal break during their rostered shift.

Rest Pauses

Where practicable, employees can have a 10 min tea break for every 4 hours of consecutive work, taken as part of their work time. By agreement, employees can combine the two 10-minute breaks into one 20-minute break where operationally convenient.

Timesheets and Schedules

Individuals shall record the actual start and finish time of each meal break on their timesheet.

Leaders must ensure the each employee's schedule is up to date in PeopleSoft, showing start and finish times of shifts and meal breaks.

Meal Break Taken

If an employee takes their meal break, they will enter the start time of their shift, the start time of their meal break, the finish time of their meal break and the finish time of their shift in their timesheet.

Meal Break Not Taken

If an employee is directed by Endeavour Foundation to work through their meal break and is unable to take a meal break at a later time, **meal break not taken is to be recorded on their timesheet.** The staff member shall record the actual start and finish times of their shift on their timesheet and the payment for not taking a meal break will be in accordance with the EFUCA (detailed above).

Time Reporting Code	Quantity
<input type="text"/>	<input type="text"/>
MELBK - Meal Break Not Taken	0.25

Meal Break Taken in Final 30 mins of Shift

If an employee agrees to take their meal break in the final 30 mins of their shift, they will record the start time of their shift, the finish time of their shift (the time the meal break starts) and meal break not taken on their timesheet. E.g. for an 8am to 4pm shift, they will record 8am as the start time, 3.30pm as the finish time and select meal break not taken. This will ensure the employee is paid the 15 min penalty for taking a late meal break.

Accurate and timely approvals reflecting the taking, or not taking of meal breaks is essential to ensuring employees are paid correctly.

Frequently Asked Questions

1. If I'm working a Community Access shift, and I'm required to have a meal whilst I'm supporting a customer, do I get paid my meal break?

Yes – you will be paid your 30 minutes meal break plus an additional 15 minutes.

2. Can I leave the worksite during my meal break?

Whilst it is not a requirement that you remain on site for your meal break, it is important and necessary to let your leader / co-workers know that you are leaving site, and an estimated time of return.

3. If I am the only support worker on shift, and unable to leave, can I have a meal break?

Whilst you can have a meal, there may be times that if you were to leave the site our customers would be unsupported. Best check with your leader if you are unsure as you may be able to plan with another employee to be onsite and supporting customers whilst you are not.

4. If I can't take a meal break during shift, can I take this at the end of my shift?

You need to contact your leader to discuss whether it is appropriate to take your meal break at the end of the shift. This may depend on another employee being able to cover you, or other operational requirements. If you are unable to take a meal break, you will be paid an additional 15 minutes.

5. How do I reflect that a meal break was taken at the end of my shift in PeopleSoft?

If for example, your shift was to be 8.00am until 4.00pm, and you took a meal break at the end of your shift, enter the start time of your shift (ie 8.00am) and enter the time that you actually finished your shift (ie. 3.30pm). You will also enter the code *'Meal Break Not Taken'*.

6. I have worked between 5 and 10 hours without a break, do I get paid a 'Meal Break Not Taken'?

If there is a break in your PeopleSoft work schedule, but you have not entered a meal break into your timesheet you will automatically get paid a *'Meal Break Not Taken'* allowance of 0.25 (ie 15 minutes). If there is NO break in your PeopleSoft work schedule, you need to claim a *'Meal Break Not Taken'* with 0.25 as the *'Quantity'*.

7. I have worked over 10 hours without a break, do I get paid a 'Meal Break Not Taken'?

If there is a break in your PeopleSoft work schedule, you need to claim a *'Meal Break Not Taken'* with .025 as the *'Quantity'*. If there is NO break in your PeopleSoft work schedule, you need to claim a *'Meal Break Not Taken'* with 0.5 as the *'Quantity'*.

8. I took my scheduled meal break during my shift, what do I do?

Make sure the 'Break' and 'In' times are correct to reflect that you took your meal break as scheduled.

9. Does taking a meal break effect ratios?

It is important to maintain supports to customers as required by the schedule of support. You may need to check with your leader to make sure that you can go on your break. You should always let someone know you are going on your break so that your colleagues know how to get hold of you in an emergency situation.

10. What do I do if agreement cannot be reached on the taking of Meal Breaks?

Where leaders and employees are unable to agree on the taking of Meal Breaks the Grievance and Dispute Settlement Procedure as stipulated within the EFUCA should be followed.