

WORKPLACE REST PERIODS

BACKGROUND

Employees are our most important resource and to ensure a safe, healthy, happy workplace and engaged employees it is critical to ensure reasonable and consistent rest periods. The purpose of this Administrative Procedure is to ensure that our workplace meets or exceeds the requirements set by *The Labour Standards Act* and complies with our collective agreements. It is also intended to ensure that we keep accurate payroll records and to reduce misunderstandings, including schedules and records of the hours worked by each employee.

The Labour Standards Act of Saskatchewan does not require employers to provide paid coffee breaks; however, by law employees must be provided with a rest period for the purpose of eating if they work more than 5 hours.

PROCEDURES

1. This procedure applies to all non-teaching employees at all work sites in the Division including schools, central office, maintenance shops and bus garages, as well as any locations to which employees may be present for out-of-school activities.
2. In order to ensure compliance and consistent practices the following shall apply to all non-teaching employees:
 - 2.1. Employees shall be provided with their work schedule at least 1 week in advance except in extenuating situations beyond the employer's control.
 - 2.2. All work schedules shall provide for unpaid meals breaks of at least 30 minutes after 5 consecutive hours worked. Employees may be scheduled for 1 hour unpaid meal breaks.
 - 2.3. Employees shall be permitted to leave the workplace during their unpaid meal break.
 - 2.4. When an employee works more than 3 but less than 5 consecutive hours they shall receive a paid 15 minute rest period approximately midway through their shift based on student/operational needs.
 - 2.5. Employees will not be permitted to leave the workplace during their 15 minute rest period except for infrequent, extenuating circumstances approved by the Principal or designate.
 - 2.6. Employees will not be able to take their rest period at the end of their shift to leave early except for infrequent, extenuating circumstances approved by the Principal or designate.
 - 2.7. Employees will not be able to bank their paid 15 minute rest periods and take them at a later time or in conjunction with other scheduled breaks.

- 2.8. If an employee elects to not take a 15 minute paid rest period it is forfeited without pay.
3. Examples include the following:
 - 3.1. An employee scheduled from 8:30 a.m. to 12:00 noon and 1:00 p.m. to 3:30 p.m. would be entitled to a paid 15 minute rest period approximately midway through the morning, a 1 hour unpaid meal break and no paid rest period in the afternoon.
 - 3.2. An employee scheduled from 9:00 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m. would be entitled to a paid 15 minute rest period approximately midway through the morning, a 1 hour unpaid meal break and a paid 15 minute rest period approximately midway through the afternoon.
 - 3.3. An employee is scheduled from 3:30 p.m. to 12:00 midnight. Their schedule must also specify at a minimum a 30 minute unpaid meal break after 5 hours worked i.e. 8:30 p.m. They would also be entitled to a paid 15 minute rest period prior to 8:30 p.m. approximately midway between 3:30 p.m. and 8:30 p.m. and a second paid 15 minute rest period approximately midway through the later part of their shift 8:30 p.m. to midnight.
 - 3.4. Exceptional circumstances may include, but are not limited to:
 - 3.4.1. An employee is scheduled from 1:00 pm to 3:30 pm (2.5 hours or more but less than 3 hours) and has a daily high needs, physically demanding/stressful work environment or their schedule has been set around programming requirements (student/operational needs); subject to approval by the Principal, in consultation with Student Services and/or the classroom teacher, the employee may be scheduled for a paid rest period midway through their shift.
 - 3.4.2. An employee is scheduled to work three (3) or more hours (but less than 4 hours) and due to student/operational needs is unable to be scheduled for a paid rest period midway through their shift, subject to approval by the Principal, in consultation with Student Services and/or the classroom teacher, the employee will be scheduled a paid rest period at an alternate time.

Legal Reference: The Labour Standards Act
The Local Collective Bargaining Agreement Local 4784

Updated: August 27, 2013