

HUMAN RESOURCES
POLICY AND PROCEDURE MANUAL
FOR
MARLBOROUGH HOSPITAL
MARLBOROUGH, MASSACHUSETTS

EFFECTIVE DATE: 03/15/2010

POLICY: HR6

REVIEW DATE: 03/15/2010

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CATEGORY: HUMAN RESOURCES

SUBJECT: HOURS OF WORK, MEAL PERIODS, WORK BREAKS

I. PURPOSE

To define the work day and work week for purposes of payroll and to establish consistent application of practices regarding work breaks and meal periods away from work-related activities for non-exempt employees.

II. POLICY

Hours of work, including the hours of operation of a department and the hours worked by staff are established by the Department Director and may be changed from time to time. Employees will be informed of their scheduled work hours upon initial employment and any changes to that work schedule will be communicated as far in advance as is practicable.

- A. Regular Workweek: The regular workweek shall be a five-day, forty-hour week although there are exceptions under flexible scheduling programs. The workweek begins at 7:00 AM on Sunday and ends at 6:59 AM the following Sunday. Any work shift which begins during one work week and extends into the next work week will be recorded on payroll time sheets as time worked on the day in which the shift began. For example, a shift which begins Saturday night at 11:00 and extends until 7:15 Sunday morning will be recorded as work performed on Saturday.
- B. Regular Work day: The regular work day consists of eight worked hours including two fifteen (15) minute paid work breaks as well as a thirty (30) minute, unpaid meal break.
- C. Evening, Night and Weekends: The evening shift normally commences at 2:45 PM; the night shift at 10:45 PM and weekend shift at 11:00 PM Friday until 10:59PM on Sunday.
- D. Meal Period: Massachusetts law requires that employees who work more than six consecutive hours are entitled to an unpaid thirty (30) minute meal period. Such meal periods should be uninterrupted and are not considered as time worked, and they should be scheduled as close to the mid-point of the workday as is practical. Employees are permitted to leave the premises during their unpaid meal periods. If there are instances in which an employee is required to work during the meal period, the thirty-minute meal period will be paid as time worked.

If approved by his/her manager, an employee may voluntarily waive his/her right to a meal period, but may not be required to do so. If an employee is willing to have his/her 30 minute consecutive unpaid meal period interrupted, or if the employee is called back to work at any time during the 30 minute meal period, the entire meal period is considered working time. If an employee agrees to remain on the premises (not just on the unit) and continues to work during his/her meal period, the employee must be paid for the 30 minute meal period.

If an employee subject to this policy is required to carry a pager or two-way radio, it is the employee's responsibility to turn off the pager or radio during the meal period. If the employee is required, by his/her supervisor, to keep his/her pager turned on during the scheduled meal period because of operational needs, and the employee is paged and required to work during the meal period, the employee will be compensated for the entire meal period. If an employee is required, by his/her supervisor, to remain on the premises during the scheduled meal period, the employee will be compensated for the meal period.

- E. **Work Breaks:** As activity within the department allows, employees may be permitted two fifteen (15) minute paid work breaks each day, one in each half day worked. Employees who work more than four but less than eight hours may be permitted one fifteen (15) minute paid work break. Work breaks may not be used as part of the scheduled work day for the purpose of coming in late or leaving early or for extended lunch breaks. There may be instances in which employees are not able to be released for breaks, but reasonable efforts will be made to schedule work activities to allow such breaks. Work breaks are considered to be time worked and are paid. Employees will not be paid or otherwise compensated for missed and/or interrupted work breaks.
- F. **Daylight Savings Time:** Staff working the entire night shift on the Saturday night at the beginning of daylight savings time (Spring) will be paid for eight (8) hours for the seven (7) hours actually worked when the clocks move ahead one hour. Staff working only a portion of the shift will record their actual worked time. Staff working the entire night shift on the Saturday night at the end of daylight savings time (Fall) will be paid for eight (8) hours worked and one (1) hour of overtime to record the one hour the clocks are set back. Staff working only a portion of the shift will record their actual worked time.

III. SCOPE

This policy covers all non-exempt employees. If any conflict exists between this policy and a collective bargaining agreement provision, the language of the applicable collective bargaining agreement prevails for those employees represented for purposes of collective bargaining.

IV. RESPONSIBILITY

Managers, supervisors, and employees, together with the Human Resources department are responsible for complying with this policy.

V. DEFINITIONS

Meal period: 30 consecutive uninterrupted minutes of unpaid time during which employees are free to leave the premises.

Work break: 15 minutes of paid time during which employees may take time away from work activities, which may be given at the discretion of Marlborough Hospital.

Non-exempt: A position subject to the minimum wage and overtime provisions of the Fair Labor Standards Act and Massachusetts state law.

VI. PROCEDURE

Department managers will monitor compliance with this policy. Department managers will schedule meal periods and work breaks. In departments where it is necessary to maintain staff coverage at all times, meal periods and breaks will be staggered at the discretion of the supervisor. Nonetheless, each non-exempt employee will receive a 30-minute consecutive uninterrupted unpaid meal period. An employee may request a change in the break schedule by speaking directly with his/her supervisor. Such requests will be considered subject to workload and/or coverage requirements.

Rescission: This policy rescinds former policy HR6 dated 2/11/2000, 2/1/03, 1/3/06.

Reviewed/Revised: 05/01/04, 1/3/06, 03/15/10

Developed by the Human Resources Department