

Breaks & Rest Periods Policy

For Australian Small & Medium Enterprises

Template Version 1.0 | December 2024

Important Notice

This template provides general guidance on breaks and rest periods. Minimum break entitlements vary by award and industry. Always check your applicable modern award or enterprise agreement for specific requirements.

1. Purpose

This policy establishes requirements for meal breaks and rest periods during work at [Company Name]. It ensures compliance with award entitlements and promotes employee health and wellbeing through adequate rest during shifts.

2. Scope

This policy applies to:

- All employees regardless of employment type
- All shifts and work periods
- All locations and departments

3. Types of Breaks

3.1 Meal Breaks

Unpaid breaks for employees to eat and rest:

- Typically 30-60 minutes duration
- Required after specified hours of work
- Employee is free from duties
- Not counted as time worked

3.2 Rest Breaks (Paid)

Short paid breaks during shifts:

- Typically 10-15 minutes
- Counted as time worked
- Cannot be accumulated or cashed out

3.3 Crib Breaks

- Paid meal breaks where employee must remain available

- Apply in specific industries or circumstances
- Check award for applicability

4. Break Entitlements

4.1 Standard Entitlements

[Company Name] provides breaks as follows:

- Shifts over 5 hours: One unpaid meal break of [30/60] minutes
- Shifts over 4 hours: One paid rest break of [10/15] minutes
- Shifts over 7 hours: Additional rest break
- As specified in applicable award

4.2 Award Requirements

Break entitlements may vary by award. Employees should:

- Check applicable award for specific entitlements
- Ask manager if unsure of entitlements
- Award provides minimum entitlements

5. Break Timing

5.1 Scheduling

- Breaks scheduled at appropriate intervals
- Meal breaks not at start or end of shift
- Rest breaks spaced appropriately through shift
- Manager determines timing based on operations

5.2 Maximum Work Before Break

- Meal break required before 5-6 hours continuous work
- As specified in applicable award
- Exceptions require employee agreement

6. Recording Breaks

6.1 Time Recording

- Employees must clock out for unpaid breaks
- Clock back in when break ends
- Paid rest breaks do not require clock out
- Accurate recording essential for payroll

6.2 Break Duration

- Take full entitled break duration
- Return to work promptly when break ends

- Notify manager if break delayed

7. Break Facilities

- [Company Name] provides appropriate break areas
- Access to seating and rest facilities
- Access to food storage and preparation areas
- Facilities maintained in clean condition

8. Working Through Breaks

8.1 General Rule

- Employees entitled to take breaks
- Should not be required to work through
- Meal breaks are for rest and eating

8.2 By Agreement

Working through meal breaks only permitted if:

- Genuinely agreed by employee
- Break paid at appropriate rate
- Award permits arrangement
- Not to be standard practice

9. Missed Breaks

If a break is missed due to operational demands:

- Notify manager immediately
- Alternative break arranged where possible
- Appropriate compensation if break not taken
- Check award for penalty provisions

10. Responsibilities

10.1 Employees

- Take breaks as scheduled
- Record break times accurately
- Return from breaks on time
- Report if unable to take breaks

10.2 Managers

- Schedule breaks appropriately
- Ensure employees can take breaks

- Monitor break compliance
- Address issues promptly

11. Compliance

- Break entitlements are legal requirements
- Failure to provide breaks is a breach
- Employees should report concerns

12. Review

This policy will be reviewed annually or when break requirements change.

Employee Acknowledgement

I acknowledge that I have read and understood [Company Name]'s Breaks & Rest Periods Policy.

Employee Name: _____

Signature: _____

Date: _____