

A bill for an act
relating to employment; modifying mandatory work and meal breaks; amending
Minnesota Statutes 2008, sections 177.253; 177.254.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 177.253, is amended to read:

177.253 MANDATORY WORK BREAKS.

Subdivision 1. **Rest breaks.** Except as provided in subdivision 1a, an employer
must allow each employee ~~adequate time~~ up to 15 minutes from work within each four
consecutive hours of work to utilize the nearest convenient restroom.

Subd. 1a. **Exemption.** Subdivision 1 does not apply to an employer with fewer than
five employees and operating a retail location. Employers exempted from the requirements
of subdivision 1 must allow each employee adequate time from work within each four
consecutive hours of work to utilize the nearest readily accessible restroom.

Subd. 2. **Collective bargaining agreement.** Nothing in this section prohibits
employers and employees from establishing rest breaks different from those provided in
this section pursuant to a collective bargaining agreement.

EFFECTIVE DATE. This section is effective October 1, 2010.

Sec. 2. Minnesota Statutes 2008, section 177.254, is amended to read:

177.254 MANDATORY MEAL BREAK.

Subdivision 1. **Meal break.** Except as provided in subdivision 1a, an employer must
permit each employee who is working for eight or more consecutive hours ~~sufficient time~~
at least 30 minutes to eat a meal.

2.1 Subd. 1a. **Exemption.** Subdivision 1 does not apply to an employer with fewer
2.2 than five employees and operating a retail location. Employers exempted from the
2.3 requirements of subdivision 1 must allow each employee who is working for eight or more
2.4 consecutive hours sufficient time to eat a meal.

2.5 Subd. 2. **Payment not required.** Nothing in this section requires the employer to
2.6 pay the employee during the meal break.

2.7 Subd. 3. **Collective bargaining agreement.** Nothing in this section prohibits
2.8 employers and employees from establishing meal periods different from those provided in
2.9 this section pursuant to a collective bargaining agreement.

2.10 **EFFECTIVE DATE.** This section is effective October 1, 2010.