



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

*Larry Hogan, Governor - Boyd Rutherford, Lt. Governor - Van Mitchell, Secretary*

**MEMORANDUM**

To: Program Directors  
HR Officers and Liaisons  
Facility CEO's  
Local Health Officers

From: Jennifer McMahan, Director OHR

Subject: Lunch Breaks

Date: July 17, 2015

This memo is being revised and reissued to provide guidance on lunch breaks. For your information, enumerated below are the DHMH standards governing these breaks:

- Each employee is required to take at a minimum a half-hour lunch break after working 5.5 hours unless their supervisor requires them to work through their lunch to complete an assignment.
- In those cases where a supervisor requires their subordinate to work through their lunch period the employee is to be compensated with overtime or compensatory time, whichever is applicable. Under no circumstances can an employee work through lunch to shorten their workday.
- Lunch breaks are not work time. The employee must be completely relieved from duty for at least 30 minutes for the purpose of eating a regular meal.
- A lunch break typically occurs midway through the employee's shift. Lunch breaks should not be routinely eliminated however, supervisors may assign the break earlier or later, depending on the work situation.
- Employee lunch schedules must be pre-approved by their supervisors. Employees may not unilaterally elect to work through lunch in order to shorten their shift; i.e. to come in to work late or to leave early. The appropriate leave must be approved for any absence during the scheduled work shift.

Supervisory authorities are responsible and accountable for administering their subordinates' lunch periods in accord with the above criteria.

Please forward this information to your unit supervisors. Any questions are to be directed to your Human Resources Officer.

cc: Shawn Cain

