




MEMORANDUM

TO: Program Directors
HR Officers and Liaisons
Healthcare System Facility CEOs
Local Health Officers

FROM: Jennifer McMahan, Director
Office of Human Resources 

SUBJECT: Lunch Breaks

DATE: January 12, 2024

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

- A standard workday for a full-time state employee is 8.5 hours a day, which includes a 30-minute unpaid lunch break.
- Each employee is required to take at a minimum a half-hour lunch break after working 5.5 hours unless their supervisors require 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 to work late or to leave early. The appropriate leave must be approved for any absence during the scheduled work shift.
- Employees are not entitled to paid breaks at other times during their shift but may step away from their work area for short periods during the shift as operational obligations permit.

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

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