

Lunch & Rest Break Period Requirements Under State Law for Adult Employees in Private Sector¹

STATE	Maximum Hours Before Lunch Break	Required Length of Lunch Break	Maximum Hours Before Rest Break	Required Length of Rest Break
California	5	30 minutes	Each 4 hour work period or major fraction thereof	10 minutes
Colorado	5	30 minutes	Midway through each 4 hour work period or major fraction thereof	10 minutes
Connecticut	If working at least 7.5 consecutive hours: After 1 st two hours, before last two hours	30 minutes	NA	NA
Delaware	If working at least 7.5 consecutive hours: After 1 st two hours, before last two hours	30 minutes	NA	NA
Illinois ²	For employees who work 7 ½ hours or more, after 5 hours	At least 20 minutes	Break rules appear to apply only to hotel room attendants	NA
Kentucky	Between 3 rd and 5 th hour of work.	Ordinarily 30 minutes ³	Within each 4 hour block of work time	10 minutes
Maine	6 consecutive hours	30 minutes	NA	NA
Maryland	6 consecutive hours	30 minutes	NA	NA
Massachusetts	6 consecutive hours	30 minutes	NA	NA
Minnesota	Sufficient unpaid time for employees who work 8 consecutive hours or more	Not stated ⁴	Within each 4 consecutive hours of work	Not stated
Nebraska	Within each 8-hour shift	30 minutes	NA	NA

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STATE	Maximum Hours Before Lunch Break	Required Length of Lunch Break	Maximum Hours Before Rest Break	Required Length of Rest Break
Nevada	During 8 continuous hours	30 minutes	Each 4 hours worked or major fraction thereof	10 minutes
New York ⁵	Noon-day period	60 minutes	NA	NA
North Dakota	After 5 hours	30 minutes	NA	NA
Oregon	Less than 7 hours: between 2 nd & 5 th hour; more than 7 hours, between 3 rd & 6 th hour	30 minutes	Every 4-hour segment or major portion thereof	10-minutes
Rhode Island	Up to 6 hours - 8-hour shift -	20 minutes 30 minutes	NA	NA
Tennessee	6 or more consecutive hours	30 minutes	NA	NA
Vermont	Employees are to be given “reasonable opportunities” during work periods to eat & use toilet facilities	Not stated ⁶	Employees are to be given “reasonable opportunities” during work periods to eat & use toilet facilities	Not stated ⁶
Washington ⁷	5 consecutive hours	30 minutes	For each 4-hour work period, to be scheduled as near as possible to midpoint of each work period	10-minutes
West Virginia	5 consecutive hours	30 minutes	NA	NA
Guam	5	30 minutes	NA	NA
Puerto Rico	After end of 3 rd but before beginning of 6 th consecutive hour	60 minutes	NA	NA

This table is intended to provide a quick overview of various state laws regarding meal & rest breaks. Since almost every state has a variety of rules for different jobs & industries, **Shift2Work** recommends that employers reference the specific Labor Laws for their state.

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FOOTNOTES

1. States not listed do not require paid rest periods. All of the nine states with paid rest period requirements also have meal period requirements.
2. Different rules apply for hotel room attendants.
3. Shorter time period permitted under special conditions.
4. Federal Law states that under 20 minutes is a rest break; 21+ minutes is a lunch break. Check specific statute for Minnesota.
5. A number of different rules apply - check specific statutes for New York.
6. Federal Law states that under 20 minutes is a rest break; 21+ minutes is a lunch break. Check specific statute for Vermont.
7. Washington State. Although agricultural labor is excluded from the listed requirement of general application, a separate regulation requires a paid 10-minute rest period in each 4-hour period of agricultural employment.

Not displayed in table are exemptions for executive, administrative and professional employees, and for outside salespersons.

Information Source:

U.S. Department of Labor
Wage and Hour Division

<https://www.dol.gov/whd/state/meal.htm>

<https://www.dol.gov/whd/state/rest.htm>

Shift2Work tries to ensure that the information provided on these pages is accurate but makes no guarantee thereof. Individuals should consult their particular state labor office for official information.