

---

HOUSE BILL 2737

---

State of Washington                      61st Legislature                      2010 Regular Session

By Representatives Conway, Simpson, Morrell, Hasegawa, and Chase

Read first time 01/13/10. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to meal and rest periods; and adding a new section  
2 to chapter 49.12 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 49.12 RCW  
5 to read as follows:

6            (1) Employers must allow employees a thirty-minute meal break, on  
7 the employee's time, if the employee works five or more consecutive  
8 hours. Meal breaks must begin no less than two hours or more than five  
9 hours from the beginning of the shift. Meal breaks are on the  
10 employer's time when the employee is required by the employer to remain  
11 on duty on the premises or at a prescribed work site in the interest of  
12 the employer.

13            (2) Employers must allow employees working three or more hours  
14 longer than a normal work day at least one thirty-minute meal break  
15 prior to or during the overtime period.

16            (3) Employers must allow employees a rest break of ten minutes, on  
17 the employer's time, for each four hours of working time. Rest breaks  
18 must be scheduled as near as possible to the midpoint of the work

1 period. Employers may not require employees to work more than three  
2 hours without a rest break.

3 (4)(a) Where the nature of the work allows employees to take  
4 intermittent rest breaks equivalent to ten minutes for each four hours  
5 worked, employers may obtain a waiver of the scheduled rest break  
6 requirements of subsection (3) of this section from the director. The  
7 director shall develop by rule a process for employers to apply for  
8 waivers from the department.

9 (b) An employer that allowed employees to take intermittent rest  
10 breaks before or on the effective date of this section may continue the  
11 practice while the employer applies for a waiver from the department.  
12 Starting on July 1, 2012, however, an employer must obtain a waiver  
13 from the department to substitute intermittent rest breaks for the  
14 scheduled rest breaks required under subsection (3) of this section.

--- END ---