



News & Types: Employment, Labor & Benefits Update

Masuda Funai California Newsflash - California Prohibits the Rounding of Time for Meal Periods

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Practices: Employment, Labor & Benefits

California employers must generally provide employees with one 30-minute meal period that begins no later than the end of the fifth hour of work and another 30-minute meal period that begins no later than the end of the tenth hour of work. If a California employer does not provide an employee with a compliant meal period, then “the employer shall pay the employee one additional hour of pay at the employee’s regular rate of compensation for each workday that the meal . . . period is not provided.” Recently, the California Supreme Court held that (1) employers **cannot engage in the practice of rounding time punches in the meal period context**, and (2) time records showing noncompliant meal periods raise a rebuttable presumption of meal period violations. Employers should consider using a time-keeping system that (1) permits employees to indicate whether they were provided a compliant meal period but chose to work, and (2) triggers the required California premium pay for any missed, short, or delayed meal periods due to the employer’s noncompliance. Because rounding of meal periods is now prohibited in California, all employers with California-based employees should review their time-keeping practices.