

[REPRODUCED FROM THE *FIELD OPERATIONS HANDBOOK*]

* * *

31a01 Rest periods.

- (a) Rest periods of short duration, running from 5 minutes to about 20 minutes, are common in industry. They promote the efficiency of the employee and are customarily paid for as working time. They must be counted as hours worked.
- (b) Where a regular rest period of known duration is longer than 20 minutes, the waiting time rules apply. In other words, if the employees are free to go where they please, and the rest period is long enough to permit the employees to use it for their own purposes, and if bona fide and not an attempt to evade or circumvent the FLSA or PCA, such periods are not hours worked.
- (c) Unauthorized extensions of authorized employer breaks are not counted as hours worked for an employee when the employer has expressly and unambiguously communicated to the employee that:
 - (1) The authorized break may only last for a specific length of time;
 - (2) Any extension of such break is contrary to the employer's rules; and
 - (3) Any extension of such a break will be punished.

* * *