

**WORKSAFE SERVICES DIVISION
OCCUPATIONAL HEALTH AND SAFETY
LEGISLATION INTERPRETATIONS**



Topic	Food & Rest Break - Effect of short break	Issued by: V.P., WorkSafe Services
Statute	<i>Regulation 91-191</i>	Date Issued: Sept 15, 2004
Section	8	Date Revised:

8 An employer shall allow an employee at least one-half hour for food and rest after each five consecutive hours of work.

Question

When does the five hours of work begin when employees receive shorter breaks (i.e. 10 minutes) within the first five hours of work?

Response

The original intent of the legislation is that employees receive a significant break within their shift for appropriate rest from work and to have sufficient time for a meal.

As a result, even though employees may receive a short break within the first five hours of work, it is our opinion that employees would still be entitled to their half hour break after the first five hours (regardless of short breaks in between).