

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



Topic	Food & rest periods – Mandatory to take?	Issued by: V.P., WorkSafe Services
Statute	<i>Regulation 91-191</i>	Date Issued: June 10, 1999
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

Is it mandatory for employees to take their lunch hour?

Response

It is mandatory for the employer to provide an employee with the opportunity to take a lunch break, but it is not mandatory for the employee to take it. The choice is with the employee.

There are situations where, if an unpaid break extends the employee's shift by half an hour, the employee may prefer to work through the lunch break and get off half an hour earlier.