



## **California Meal Periods and Rest Breaks**

As you know, “caring for and cultivating employees” is part of Our Vision and a key to our continued success. In keeping with this goal, America’s Tire strongly endorses and strictly adheres to California’s law governing meal periods and rest breaks.

### **Meal Periods**

1. All employees who work for a period of more than 5 hours are entitled to an uninterrupted 30-minute meal period. Employees are to be relieved of all duty during their meal periods. Meal periods must begin before the end of the 5th hour of work (e.g. an employee who started work at 7 a.m. must start a meal period before noon).
2. Employees whose entire work period for the day is not more than 6 hours may voluntarily waive the meal period with the consent of the Store Manager or Senior Assistant Manager. Waivers may be revoked/ withdrawn, at any time.
3. Employees who work for a period of more than 10 hours are entitled to a second, uninterrupted 30-minute meal period in which they are relieved of all duty. Employees can voluntarily waive the second meal period with the consent of the Store Manager or Senior Assistant Manager if the total hours worked is no more than 12 hours, and only if the first meal period was not waived.
4. Employees must clock out at the start of a meal period and clock back in at the conclusion of the meal period. Meals should be taken out of sight of customers; please use the break room or go off site.

### **Rest Breaks**

1. All employees who work for 3 1/2 hours or more a day are authorized and permitted to take rest breaks. Employees are entitled to 10 minutes rest time per 4 hours of work or major fraction thereof. Thus, employees are authorized and permitted to take the following rest breaks:
  - shifts of 3 1/2 hours or less: none;
  - shifts of more than 3 1/2 hours and up to 6 hours: one 10 minute break;
  - shifts of more than 6 hours up to 10 hours: two 10 minute breaks;
  - shifts of more than 10 hours up to 14 hours: three 10 minute breaks.
2. Insofar as practicable, rest breaks should be taken in the middle of each 4 hour work period -- e.g. at the end of the 2nd and 6th hours of work -- and generally should fall on either side of a meal period. Rest breaks may not be attached to meal periods.
3. Employees are paid for rest time and should not clock out for rest breaks.



### **Meal Period Waiver**

I understand that I am entitled to a meal period of 30 minutes if I work more than 5 hours in a day. I also understand that I, with the mutual consent of my employer, can voluntarily waive this meal period if I work 6 hours or less in a day.

- ☐ **I choose to voluntarily waive my meal period on days I work more than 5 but less than 6 hours.**
- ☐ **I choose NOT to waive my meal period on days I work more than 5 but less than 6 hours.**

I understand that I am entitled to a second meal period if I work more than 10 hours in a day. I also understand that I, with the mutual consent of my employer, can voluntarily waive this second meal period if I work more than 10 hours, but less than 12 hours in a day, and receive my first meal period.

- ☐ **I choose to voluntarily waive my second meal period on days I work more than 10 hours (but less than 12 hours overall) and took my first meal period.**
- ☐ **I choose NOT to waive my second meal period on days I work more than 10 hours (but less than 12 hours overall) and took my first meal period.**

I understand it is my choice to waive these meal periods and no one can make me waive them. If anyone is pressuring or forcing me to miss or waive a meal period, I understand I should talk to my Store Manager or contact my Regional Vice President or my Regional Assistant Vice President at the Regional Office at (916) 986-9734.

I also understand that at any time if I decide I want a meal period, I can revoke this waiver for the day or entirely. If I want to revoke this waiver, I need to inform my Store Manager or Senior Assistant, preferably in writing.

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EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
EMPLOYEE ID

\_\_\_\_\_  
STORE NUMBER