

Breaks

Rest breaks and meal breaks

A rest break allows an employee to rest for a short period of time during work hours. Rest breaks are also referred to as 'crib breaks', 'rest pauses' or 'tea breaks'.

A meal break is a longer period of uninterrupted rest that allows the employee to eat a meal.

Awards, enterprise agreements and other [registered agreements \(www.fairwork.gov.au/Dictionary.aspx?TermID=2034\)](http://www.fairwork.gov.au/Dictionary.aspx?TermID=2034) provide for paid and unpaid rest breaks and meal breaks, including:

- the length of the breaks
- when they need to be taken
- the rules about payment.

Breaks between shifts

Awards and registered agreements may provide for a minimum amount of time off between the end of one shift and the start of another.

To find information about the minimum break requirements in your industry, please select from the list below.

Based on what you've told us, it looks like you're covered by the Hospitality Industry (General) Award [MA000009].

Rest breaks

A rest break is a 20 minute paid break that counts as time worked.

An employee gets:

- 1 paid break if they work more than 8 hours
- 2 paid breaks if they work over 10 hours.

An employee can choose to have 2 paid 10 minute breaks instead of 1 paid break.

Meal breaks

A meal break is a 30 minute unpaid break that doesn't count as time worked.

An employee gets 1 meal break if they work more than 6 hours.

An employee who works for more than 5 hours and up to six hours can choose to get 1 unpaid meal break

Check the [Hospitality Award \(http://awardviewer.fwo.gov.au/award/show/MA000009#P1019_80547\)](http://awardviewer.fwo.gov.au/award/show/MA000009#P1019_80547) for information about different break entitlements in certain situations.

Taking breaks

The unpaid meal break may be taken between the second and sixth hour of the shift, for shifts of more than 6 hours.

For a shift of 8 hours or more the meal breaks and rest breaks should be spread evenly across a shift.

Employees can't be asked to:

- take their unpaid break within 2 hours of starting work or later than 6 hours after starting
- work more than 6 hours without a meal break.

When a meal break isn't given

If an employee doesn't get their meal break when they are supposed to, they have to be paid time and a half from when they have worked 6 hours until they get a meal break.

Breaks between rostered ordinary shifts

Employees (other than casuals) have to get a minimum break of 10 hours between finishing work on one day and starting work the next day.

An employer can reduce the break to 8 hours when there is a changeover of rosters.

Check the [Hospitality Award \(http://awardviewer.fwo.gov.au/award/show/MA000009#P1019_80547\)](http://awardviewer.fwo.gov.au/award/show/MA000009#P1019_80547) for information about other shift break entitlements in certain situations.

To find out more about who this award applies to, go to the [Hospitality Award summary \(www.fairwork.gov.au/awards-and-agreements/awards/award-summary/ma000009-summary\)](http://www.fairwork.gov.au/awards-and-agreements/awards/award-summary/ma000009-summary) .

Source reference: [Hospitality Industry \(General\) Award \[MA000009\] clauses 15.5 and 16 ☞ \(http://awardviewer.fwo.gov.au/award/show/MA000009\)](http://awardviewer.fwo.gov.au/award/show/MA000009)

Think a mistake might have been made?

Mistakes can happen. The best way to fix them usually starts with talking.

Check out our [Help resolving workplace issues \(www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-resolving-workplace-issues/default\)](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-resolving-workplace-issues/default) section for practical advice on:

- figuring out if a mistake has been made
- talking to your employer or employee about fixing it
- getting help from us if you can't resolve it.

What to do next

- Check [When overtime applies \(www.fairwork.gov.au/Employee-entitlements/hours-of-work-breaks-and-rosters/Hours-of-work/when-overtime-applies\)](http://www.fairwork.gov.au/Employee-entitlements/hours-of-work-breaks-and-rosters/Hours-of-work/when-overtime-applies)
- Check how to include breaks in [Rosters \(www.fairwork.gov.au/Employee-entitlements/hours-of-work-breaks-and-rosters/rosters\)](http://www.fairwork.gov.au/Employee-entitlements/hours-of-work-breaks-and-rosters/rosters)

You might also be interested in

- [Awards \(www.fairwork.gov.au/awards-and-agreements/Awards/default\)](http://www.fairwork.gov.au/awards-and-agreements/Awards/default)

Page reference No: 2192

Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.