

## 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 Hair and Beauty Industry Award [MA000005].

### Rest breaks and meal breaks

A rest break is a 10 minute paid break that counts as time worked.

A meal break is a 45 - 60 minute unpaid break that doesn't count as time worked. An employer and employee can agree to a 30 minute unpaid meal break.

#### Full-time employee breaks

A full-time employee gets the following number of breaks, depending on the ordinary hours they actually work (not their rostered hours).

Number of hours worked	Rest breaks	Meal breaks
Less than 5 hours	0	0
5 or more hours	2	1

#### Part-time employee breaks

A part-time employee gets the following number of breaks, depending on the ordinary hours they actually work (not their rostered hours).

Number of hours worked	Rest breaks	Meal breaks
Less than 4 hours	0	0
4 or more hours - less than 5 hours	1	0
5 or more hours - less than 7 hours	1	1
7 hours of more	2	1

#### Casual employee breaks

A casual employee gets the following number of breaks, depending on the ordinary hours they actually work (not their rostered hours).

Number of hours worked	Rest breaks	Meal breaks
Less than 5 hours	0	0
5 or more hours - less than 7 hours	0	1
7 hours or more	2	1

An employee who works for 5 hours or more must get at least 1 meal break.

### Taking breaks

An employee who gets 2 rest breaks has to take 1 break in the first half of their shift, and the other break in the second half of their shift.

Employees can't be asked to work more than 5 hours without a meal break.

### When a meal break isn't given

There is no extra payment (eg. penalty rate) for not getting a meal break.

### Breaks between shifts

Employees have to get a minimum break of 12 hours between finishing work on one day and starting work the next day.

To find out more about who this award applies to, go to the [Hair and Beauty Award summary \(https://www.fairwork.gov.au/awards-and-agreements/awards/award-summary/ma000005-summary\)](https://www.fairwork.gov.au/awards-and-agreements/awards/award-summary/ma000005-summary).

Source reference: [Hair and Beauty Industry Award \[MA000005\] clause 32 \(http://awardviewer.fwo.gov.au/award/show/MA000005\)](http://awardviewer.fwo.gov.au/award/show/MA000005) 

### 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)

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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

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