

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 Fast Food Industry Award [MA000003].

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

A meal break is a 30 - 60 minute unpaid break that doesn't count as time worked.

An employee gets the following number of breaks, depending on the 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 9 hours	1	1
9 hours or more	1 or 2 breaks (2 breaks will be given unless a second meal break is provided)	1 or 2

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

Taking breaks

The time to take breaks and the length of breaks form part of an employee's roster. This means an employee has to be told about when to take their breaks and how long they are.

For part-time employees, the time to take breaks and the length of breaks should be part of their agreed pattern of work. This means that if the employer and employee make changes to the employee's regular pattern of work, or rostered shift, the times for taking rest and meal breaks can also be changed to reflect the new hours of work.

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:

- take a rest or meal break within 1 hour of starting or finishing work
- take a rest break combined with a meal break

- 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

The Fast Food Award doesn't have any rules about breaks between shifts.

Check Safework Australia [☞](http://www.safeworkaustralia.gov.au/sites/SWA/about/Publications/Documents/825/Managing-the-risk-of-fatigue.pdf) (<http://www.safeworkaustralia.gov.au/sites/SWA/about/Publications/Documents/825/Managing-the-risk-of-fatigue.pdf>) for guidance on taking breaks to manage the risk of fatigue at work.

Fast Food Industry Award resources

We've made it easier for you to find information about your pay and entitlements under the Fast Food Industry Award. For more tailored information about your Award, visit our [interactive tool \(www.fairwork.gov.au/find-help-for/fast-food-restaurants-cafes/fast-food-industry\)](http://www.fairwork.gov.au/find-help-for/fast-food-restaurants-cafes/fast-food-industry) .

We've got new and improved templates to help people in the Fast Food Industry. Try our [interactive template tools \(www.fairwork.gov.au/how-we-will-help/templates-and-guides/default\)](http://www.fairwork.gov.au/how-we-will-help/templates-and-guides/default) .

To find out more about who this award applies to, go to the [Fast Food Award summary \(https://www.fairwork.gov.au/awards-and-agreements/awards/award-summary/ma000003-summary\)](https://www.fairwork.gov.au/awards-and-agreements/awards/award-summary/ma000003-summary) .

Source reference: [Fast Food Industry Award \[MA000003\] clause 27 \(http://awardviewer.fwo.gov.au/award/show/MA000003\)](http://awardviewer.fwo.gov.au/award/show/MA000003) ☞

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