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**MEAL PERIOD AND REST BREAK POLICY**

Excel Academy Charter Schools (“School”) adopts this Meal Period and Rest Break Policy in accordance with all laws for the provision of meal and rest periods for non-exempt employees.

Employees are expected to observe assigned working hours and work with their supervisor to plan and approve the work schedule with their meal periods and rest breaks in mind. Employees working at an onsite work location are permitted and encouraged to leave the premises during such breaks. During meal periods and rest breaks, an employee will be relieved of all duties. Employees must immediately inform their supervisor or human resources if they are prevented from taking meal and/or rest periods. Employees may not miss rest periods and non-waivable meal periods.

If for any reason the employee is not provided a rest break or meal period in accordance with the policy, or if they are in any way discouraged or impeded from taking their rest break or meal period, or from taking the full amount of time allotted to them, the employee may be eligible for a missed rest break or meal period remedy and should immediately notify HR. Anytime the employee misses a rest break or meal period that was provided to them (or they work any portion of a provided meal period), they will be required to report the time to HR and document the reason for the missed rest break and meal period.

**Meal Period**

Non-exempt employees working more than five (5) hours per day are provided with an unpaid, uninterrupted thirty (30) minute meal period to be taken approximately in the middle of the workday, to the extent that is practical, but by no later than the end of the 5th hour of work. An employee may waive this meal period if the day’s work will be completed in no more than six (6) hours, provided the employee and the School mutually consent in advance to the waiver in writing. Employees may request a meal period waiver form from the School.

The employee must clock out for the meal period and will be permitted a reasonable opportunity to take this meal period. The employee is expected to return to work promptly at the end of the meal period. The immediate supervisor may schedule the timing of an employee’s meal period to ensure business operations.

If the employee works a shift from five (5) to nine (9) hours in length, they will be entitled to one (1) unpaid thirty-minute meal period. If they work ten (10) or more hours, they will be entitled to two (2) unpaid thirty-minute meal periods.

**Rest Period**

Non-exempt employees are also provided with a single paid ten (10) minute rest period for every four (4) hours worked to be taken approximately in the middle of the four (4) hour work period, to the extent that is practical. A rest break is not authorized for employees whose total daily work time is less than three and one half (3.5) hours.

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If the employee works a shift from three and one-half (3.5) to six (6) hours in length, they will be entitled to one (1) paid ten-minute rest break. If they work more than six (6) hours and up to 10 hours, they will be entitled to two (2) paid ten-minute rest breaks. If the employee works more than 10 hours and up to 14 hours, they will be entitled to three (3) paid ten-minute rest breaks.