



# Board of County Commissioners Agenda Request

20

Agenda Item #

Requested Meeting Date: December 23, 2025

Title of Item: Personnel Policy Update (Meal and Rest Breaks)

<input type="checkbox"/> REGULAR AGENDA <input checked="" type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input checked="" type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft)	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing* <small>*provide copy of hearing notice that was published</small>
Submitted by: Bobbie Danielson, HR Director <i>Bobbie Danielson</i>	Department: HR Dept.	
Presenter (Name and Title):	Estimated Time Needed: n/a, consent agenda	

## Summary of Issue:

Effective January 1, 2026, changes were made to Minnesota Statutes §§ 177.253 and 177.254. Attached for your review and consideration are redlined revisions to the personnel policy reflecting those changes. The proposed update is intended to maintain flexibility for both staff and operational needs.

## Alternatives, Options, Effects on Others/Comments:

## Recommended Action/Motion:

Motion to adopt the changes to the rest break and meal period sections of the personnel policy as shown in the redlined copy attached.

## Financial Impact:

Is there a cost associated with this request?

Yes

No

What is the total cost, with tax and shipping? \$

Is this budgeted?

Yes

No

Please Explain:

There is a cost associated with this law change if the employer does not allow employees to take rest or meal breaks due to operational needs.

**ARTICLE 5**  
**DEPARTMENT OF LABOR AND INDUSTRY POLICY**

Section 1. Minnesota Statutes 2024, section 177.253, subdivision 1, is amended to read:

Subdivision 1. Rest breaks. An employer must allow each employee adequate time from work a rest break of at least 15 minutes or enough time to utilize the nearest convenient restroom, whichever is longer, within each four consecutive hours of work to utilize the nearest convenient restroom.

**EFFECTIVE DATE.** This section is effective January 1, 2026.

Sec. 2. Minnesota Statutes 2024, section 177.253, is amended by adding a subdivision to read:

Subd. 3. Remedies. If an employer does not allow an employee rest breaks as required by this section and related rules, the employer is liable to the employee for the rest break time that should have been allowed at the employee's regular rate of pay, plus an additional equal amount as liquidated damages.

**EFFECTIVE DATE.** This section is effective January 1, 2026.

Sec. 3. Minnesota Statutes 2024, section 177.254, subdivision 1, is amended to read:

Subdivision 1. Meal break. An employer must permit allow each employee who is working for eight six or more consecutive hours sufficient time to eat a meal break of at least 30 minutes.

**EFFECTIVE DATE.** This section is effective January 1, 2026.

Sec. 4. Minnesota Statutes 2024, section 177.254, subdivision 2, is amended to read:

Subd. 2. Payment not required. Except for subdivision 4, nothing in this section requires the employer to pay the employee during the meal break.

**EFFECTIVE DATE.** This section is effective January 1, 2026.

Sec. 5. Minnesota Statutes 2024, section 177.254, is amended by adding a subdivision to read:

Subd. 4. Remedies. If an employer does not allow an employee meal breaks as required by this section and related rules, the employer is liable to the employee for the meal break time that should have been allowed at the employee's regular rate of pay, plus an additional equal amount as liquidated damages.

## **Bobbie J. Danielson**

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**From:** Bobbie J. Danielson  
**Sent:** Wednesday, December 17, 2025 12:20 PM  
**To:** Department Heads  
**Cc:** HR  
**Subject:** personnel policy update, rest and meal breaks

Department Heads,

Thank you for the feedback shared at our last meeting regarding rest and meal breaks. The updated policy will be forwarded to the Board for consideration at its next meeting.

Please contact me if you have any questions.

Bobbie

### Rest Break

~~Employees scheduled to work four (4) or more continuous hours shall be allowed a paid fifteen-minute break within each four (4) hour period at times designated by their supervisor.~~

~~The Employer will allow each employee a rest break of at least fifteen (15) minutes, or sufficient time to use the nearest convenient restroom, whichever is longer, within each four (4) consecutive hours of work, as required by Minn. Stat. § 177.253.~~

~~If an employee, with supervisory approval, voluntarily chooses not to take a rest break within that time frame and instead elects to delay the break beyond four (4) hours, the Employer will be deemed to have satisfied its obligation to allow the rest break. In such circumstances, the Employer is not subject to the remedies or liquidated damages set forth in Minn. Stat. § 177.253, subd. 3.~~

~~Supervisors are responsible for scheduling work to allow rest breaks within legally required timeframes and may adjust scheduling as needed to balance operational needs and employee preferences.~~

## Meal Periods

~~The employee must be completely relieved from duty for the purpose of eating regular meals. The employee is not relieved if he or she is required to perform any duties, whether active or inactive, while eating. If the employee is not completely relieved from duty, the meal period must be counted as hours worked. For example, an employee who is required by their supervisor to remain at his/her desk while eating lunch and regularly answers the telephone and refers callers is working. This time must be counted and paid as compensable hours worked because the employee has not been completely relieved from duty.~~

The Employer will allow each employee who works six (6) or more consecutive hours an unpaid meal period of at least thirty (30) minutes, as required by Minn. Stat. § 177.254.

If an employee, with supervisory approval, voluntarily chooses not to take a meal period within the initial six (6) hours of work and instead elects to delay the meal period beyond that time, the Employer will be deemed to have satisfied its obligation to allow the meal period. In such circumstances, the Employer is not subject to the remedies or liquidated damages set forth in Minn. Stat. § 177.254, subd. 4.

Supervisors are responsible for scheduling work in a manner that allows meal breaks to occur within the timeframes required by law and may adjust scheduling as needed to balance operational needs and employee preferences.

New email address: [bobbie.danielson@aitkincountymn.gov](mailto:bobbie.danielson@aitkincountymn.gov)

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