

MEAL AND REST BREAK GUIDELINES FOR ALL CALIFORNIA FREELANCE EMPLOYEES

[COMPANY] is obligated to comply with all applicable state and federal wage and hour statutes and regulations related to the taking of meal and rest breaks¹. [COMPANY] is committed to ensuring that all workers are provided with the opportunity to take complete and timely meal and rest breaks. To achieve this, all personnel working on set are required to adhere to the following regulations²:

1. Meal Periods

- All non-exempt employees in the motion picture industry who work more than six hours in a workday are entitled to an unpaid, meal period of no less than 30 minutes. To ensure compliance with the foregoing, employees understand that they are required to accurately log the start and end times of all meal periods. Employees understand that they must take their meal periods no later than six hours after they start work and that the meal period must last no less than 30 minutes and no more than one hour.
- Meal periods are off-duty. During a meal period, employees will be relieved of all duties. As such, [COMPANY] relinquish control over employees' activities during a meal period. While on a meal period, [COMPANY] prohibits employees from performing any work and does not expect any employee to complete any work duties. In addition, [COMPANY] will not impede or discourage an employee from exercising their right to take a meal period. Employees are free to leave the premises if they wish and they will not remain on call.

2. Rest Breaks

- All employees are entitled to a paid 10-minute rest break for every four hours of work, or major fraction thereof.
- Rest break times are based on the total hours worked daily and all rest breaks should be taken in the middle of each four-hour work period, as practicably possible.
- Below is a table to assist in determining the number of rest breaks employees are entitled to based on the number of hours of work that an employee performs:

¹ This memorandum is provided by AICP for informational purposes only and is intended for the voluntary use of its members or others. It does not, and is not intended to, constitute legal advice. This document is not intended to encourage, facilitate, or otherwise promote any agreement or understanding among AICP and its members or others. Any decisions made by members regarding such matters must be made independently, in compliance with all applicable antitrust and competition laws. Members should not rely on this memorandum as a substitute for obtaining legal advice from qualified counsel regarding their specific circumstances. AICP makes no representations or warranties as to the information provided herein. Use of this memorandum is at the member's sole discretion.

² Please be advised that if a CBA governs your employment and your CBA provides for meal periods and penalties for violations of those requirements, those provisions govern. This Handout is meant as a complement to any applicable CBA, whose terms and conditions control. These policies separately apply to those specifically not governed by a CBA.

Shift (Hours Worked in a Day)	Number of Paid Rest Periods
0 to 3.5 hours	0
3.5 to 6 hours	1
6 to 10 hours	2
10 to 14 hours	3

- Unlike meal periods, rest breaks are paid but they are still off-duty. During rest breaks, employees will be relieved of all duties, and [COMPANY] will relinquish control over employees' activities.
- While on a rest break, employees understand that they are not expected to perform any work duties. In addition, [COMPANY] will not impede or discourage employees from exercising their right to take a rest break.

3. Use of Walkie-Talkies During Breaks

- During meal and rest breaks, employees understand that [COMPANY] hereby releases you from all work related duties. As a result, all employees understand that they must turn off their walkie-talkies during their meal and rest breaks, except in cases of emergency or exigent circumstances. Employees also understand that walkie-talkies should not be used or monitored while on break. Employees may choose to turn in their walkie-talkies to their designated company representative prior to taking a break. If an employee believes that they need to have their walkie-talkies on during meal and/or rest breaks, employees must receive pre-approval, in writing, in advance of engaging in any such conduct. Failure to abide by this policy may result in disciplinary action.
- Prior to taking a meal or rest break, employees may inform their supervisor when they start and end each designated break to ensure that their breaks are uninterrupted.
- Supervisors and company representatives must not contact employees during their breaks, unless an actual emergency arises. In the event of an emergency, if someone is asked to return early from a break or take a late break, it is the responsibility of the employee to forewarn the individual or superior that they have not completed their full break. If an employee is required to return from their break after giving the foregoing warning, the employees must be paid a meal and/or rest break premium at one hour of that employee's regular rate of pay, unless an applicable CBA provides for alternative remedies. If such an emergency arises and an employee is unable to take a compliant meal or rest break, employees understand that they will promptly report such an incident to their supervisor. Failure to report an interruption of one's right to take a fully compliant meal or rest break may result in disciplinary action.

4. Inability to Take Meal Period or Rest Break

- All meal periods and rest breaks are *off-duty* and employees understand that they will be relieved of all work responsibilities.

- Employees who are assigned walkie-talkies, radios, or any other communication device understand that they are encouraged to turn off these devices at the beginning of their meal period and must turn them back on once they have returned from their meal period or rest break.
- If production circumstances make it difficult for an employee to take any meal or rest break that they are entitled to, the employee must notify a Producer or Production Supervisor so alternative arrangements can be made.
- If any employee believes that they have been denied a fully compliant meal or rest break, please report this to a Producer or Production Manager or [COMPANY REPRESENTATIVE] immediately. [COMPANY] is committed to complying with all applicable California meal and rest break laws.
- Workers who are not provided with a compliant meal period or rest break will receive one hour of pay at their regular rate of compensation for each workday that a meal or rest break is not provided, unless an applicable CBA provides for alternative remedies..

5. Important Note to All Employees

- Employees understand that meal and rest break timing may vary due to working conditions. However, employees understand that they must still comply with the legal requirements set forth above and that they are still entitled to timely and complete meal periods and rest breaks. If an employee believes a break cannot be provided as required based on the working conditions, please report any concerns to a supervisor immediately.
- Employees are required to promptly return to their designated area(s) after the completion of full, complete, and duty-free meal and rest breaks. Employees who do not return to their designated area(s) following their meal and rest breaks may be subject to discipline.
- [COMPANY] will investigate all inquiries made by employees regarding the inability to take compliant, uninterrupted meal and rest breaks.

6. Receipt of Company Policy

- Copies of this company policy are available upon request from Production.
- A digital copy may also be accessed upon request from Production.

Failure to comply with these procedures, including failure to promptly report missed breaks, may result in corrective action. If you have any questions regarding the meal period and rest break procedures, please contact the Producer or Production Manager. We are committed to providing legally compliant work conditions and appreciate your cooperation in observing break schedules and reporting any issues.

Thank you for your cooperation and professionalism on set.

**Meal and Rest Break Guidelines for All California
Freelance Employees Acknowledgment and Receipt**

I acknowledge that I have received a copy of [COMPANY]'s Meal and Rest Break Guidelines for All California Commercial Production Freelance Employees. I am aware that it is my responsibility to read the Meal and Rest Break Guidelines for All California Commercial Production Freelance Employees policy in its entirety, understand it fully, and agree to abide by the guidelines set forth. I understand that it is my responsibility to comply with the policies contained therein.

I am aware that I am required to accurately record all meal breaks and that I am entitled to duty-free meal and rest breaks as outlined in the Meal and Rest Break Guidelines for All California Commercial Production Freelance Employees policy. I am also aware that I am expected to immediately report any missed meal or rest breaks to my supervisor as soon as possible.

I understand that if I have any questions or concerns at any time about the Meal and Rest Break Guidelines for All California Commercial Production Freelance Employees, I will consult with my immediate supervisor and/or [COMPANY REPRESENTATIVE] as soon as possible.

I understand that if I am a member of a union with an applicable collective bargaining agreement ("CBA"), and there is a conflict between the policies set forth in this policy and the applicable CBA, the CBA will govern.

Employee Name: _____

Employee Signature: _____

Date: _____