

Meal and Rest Breaks FAQs: Sept. 26, 2025

Read below to learn more and find answers to your questions.

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Instead of being scheduled for 13 hours from 0700-2000 or 1900-0800, can I be scheduled for 13 hours from 0630-1930/1830-0730 or even 0645-1945/1845-0745?

Do the breaks need to be scheduled?

What about record-keeping?

What do I do when my manager wants to speak with me about my missed breaks?

What does it mean to “waive” my break?

Nurses are entitled to meal breaks and rest breaks under the law and under the collective bargaining agreement (CBA) between WSNA and Seattle Children’s Hospital. These breaks must be within certain windows of time. If you “waive” your right to a break, you agree that the Hospital does not need to give you that break. If you “waive” the timing requirements, you agree that the Hospital can provide you a break outside the time windows that would otherwise apply.

Any waiver must be requested by you and must be entirely voluntary. SCH is not allowed to discriminate or retaliate against you because you choose not to waive your rest and meal break rights.

New rules go into effect on January 1, 2026, that expand the circumstances in which a healthcare employee may waive meal periods or the timing of meal periods. We are currently bargaining a successor CBA, and we have demanded to bargain the waiver form. Things may change depending on the outcome of those negotiations.

Is there a reason why I currently should not waive my second and/or third meal break?

Your WSNA Officers at SCH recommend not waiving your meal break rights if you are able to do that. Nurses have rights to uninterrupted meal breaks under both the CBA and state law. We are currently in negotiations over what obligations the Hospital has under the CBA to provide breaks, what resources it will make available to us to get our rest and meal breaks, waiver forms, timekeeping requirements, and non-retaliation provisions. We are bargaining mindful that new state law rules go into effect for Hospital workers like you on January 1, 2026. We think we need break nurses to ensure everyone gets the breaks they are entitled to. Currently the Hospital isn't willing to admit to that. **We think breaks are critical to nurse health and safety, and the Hospital has the responsibility to figure out how to cover all breaks for each nurse.**

Please decide what works best for you and your own health and life without considering right now whether or not the system we currently have can support your ability to take all your breaks. **If we only decide based on what feels possible with current resources, we will never get more than what we have.**

We also have issues with the Hospital's waiver form that we will be taking up with Seattle Children's. We hope to get a form that is less confusing and clearly spells out all your rights.

How many breaks do I get, and when are they supposed to happen?

Meal Breaks. Generally speaking, here are the rules:

- If you don't waive any meal breaks and work more than five hours, you are entitled to an uninterrupted 30-minute meal break between the second and fifth hour of work.
- You must not be required to work more than five hours without a meal break if you haven't waived any meal breaks.
- That means, for longer shifts, you have the right to a second, uninterrupted 30-minute meal period within 5 hours of the end of the first meal period, and for each five hours worked thereafter.
- If you work at least three hours longer than a normal workday, you have the right to take an uninterrupted 30-minute meal period before or during the overtime portion of the shift. A "normal work day" is the shift you are regularly scheduled to work.

Rest Breaks. Generally speaking, you get one uninterrupted 15-minute rest break, which must be scheduled and given, for every four hours worked. The rest break can be taken anytime during the four hour period for healthcare workers.

Number of Rest and Meal Breaks Required for Different Shift Lengths

Shift Length	Number of Rest Breaks	Number of Meal Breaks
4 hours	1	0
6 hours	1	1
8 hours	2	1-2*
9 hours	2	1-2*
10 hours	2	1-2*
12 hours	3	2
16 hours	4	2-3*

*Depending on timing of meal periods. An employee cannot work more than five hours without a meal period.

Change in January 1, 2026: Beginning in January, you will be able to waive the only meal period in a work shift of less than 8 hours. You will be able to waive the second and/or third meal period in a work shift of 8 hours or longer, so long as at least one meal period is provided and taken during the shift.

Can I waive the rules about the timing of meal breaks?

Yes, as of January 1, 2026. Beginning January 1, if you have waived your second (and any additional) meal break(s) and applicable timing requirements, your only meal break must begin no earlier than hour three of your shift and no later than the second to last hour of your scheduled shift (e.g., between 1000 and 1730 if you are scheduled from 0700-1930).

What about combining a rest break(s) with my meal break(s)?

State law currently allows a nurse to combine a meal period and a rest period, and that will remain true after January 1, when the law is changing to allow nurses to combine one or more meal periods with one or more rest periods. This will require mutual agreement from their employer. It is unknown at this time if SCH will offer that mutual agreement.

You do not have to waive your rights to a rest or meal break to combine them.

Examples of Possible Break Schedules for 12-hour Shift Nurses

Here are some examples of what your break schedule may look like on a 12 hour day or night shift from 0700-2000 or 1900-0800 if you don't waive your second meal break. The first option is if you choose not to combine any rest and meal breaks.

0900/2100 - 15 minute rest break
1130/2330 - 30 minute meal break
1300/0100 - 15 minute rest break
1700/0500 - 30 minute meal break
1830/0630 - 15minute rest break

If you choose to combine a meal and rest break, your break schedule may look something like this on the same 12 hour day shift from 0700-2000.

Midday and dinner meal break schedule:

0815-0830 - 15 minute rest break
1200-1245 - 45 minute combined rest and meal break
1715-1800 - 45 minute combined rest and meal break

Breakfast and midday meal break schedule:

0930-1015 - 45 minute meal break
1445-1530 - 45 minute meal break
1800-1815 - 15 minute rest break

Meal breaks fairly evenly throughout:

1045-1130 - 45 minute combined meal and rest break
1400-1415 - 15 minute rest break
1630-1715 - 45 minute combined meal and rest break

For a 12 hour night shift from 1900-0800, your combined meal and rest break schedule may look something like one of the following:

Dinner and midnight meal break schedule:

2130-2215 - 45 minute meal break

0245-0330 - 45 minute meal break

0600-0615 - 15 minute rest break

Midnight meal and early morning nap break schedule:

2015-2030 - 15 minute rest break

0000-0045 - 45 minute combined rest and meal break

0430-0515 - 45 minute combined rest and meal break

Meal breaks fairly evenly throughout:

2245-2330 - 45 minute combined meal and rest break

0200-0215 - 15 minute rest break

0430-0515 - 45 minute combined meal and rest break

What happens if I don't waive my meal periods? Am I really going to be scheduled for 13 hours (or 11 hour shifts if I work tens)?

Yes. The current CBA states that if the nurse does not waive the second meal period, the additional half hour will be added to the end of the nurse's shift.

On many units, managers are releasing nurses early and having them clock out early when their work is complete (e.g., you only have report to give on one patient because your other patient(s) recently transferred to the ICU or acute care or were discharged). Nurses in these scenarios are not getting attendance violations (to our knowledge). This shouldn't change, but we acknowledge that there may be units on which it will change as a means to discourage people from choosing to have all the meal periods they are entitled to. Unless it is obviously retaliatory (targeted only towards those who have chosen to get all their meal periods and not those who have waived), WSNA cannot keep the employer from keeping nurses until the end of their scheduled shift.

If my manager is one that makes me stay for all time scheduled, what can I use that time for?

Use it to work. You can clean out your work email inbox, complete modules on Workday, do that peer evaluation that has been on your to do list for the last two weeks, make sure your charting is complete, and send any work e-mails that you need to send.

What happens if I haven't waived my second meal period, but I finish report early and I haven't gotten both meal periods?

Meal periods are still subject to the timing requirements. After January 1, employees can agree to waive otherwise applicable timing requirements, so long as at least the meal period starts no later than the second to last hour scheduled. So, your manager can't require you to count that time at the end of your shift as a meal period. Follow your manager's instructions about when to clock out. You must be paid for all hours worked, including working through what should have been your second lunch.

Example: I work a 12 hour shift from 0700-1900. I have not waived any of my meal periods, so will be scheduled from 0700-2000. I take my only meal period from 1430-1500. Because I worked more than five hours without a meal break, I missed my first meal period. I am done giving report to the oncoming nurse at 1940. My manager doesn't require me to stay until the end of my scheduled shift and would prefer for me to get off the clock. I clock out with the code no lunch 1. I am paid for all hours worked minus the 30 minutes that I clocked in and out for my one meal break which equals 12 hours and 10 minutes. I am also paid an additional 30 minutes for missing my first meal period. Both the ten minutes over 12 hours and the 30 minutes for my missed meal period will be paid at the overtime rate.

Contrarily, if the same scenario occurred, but I had been given both meal periods in a timely manner, I would be paid 11 hours and 40 minutes, all at straight time.

Instead of being scheduled for 13 hours from 0700-2000 or 1900-0800, can I be scheduled for 13 hours from 0630-1930/1830-0730 or even 0645-1945/1845-0745?

We proposed something similar in negotiations, but SCH hasn't engaged with us on this ask. We will keep you updated if this changes.

Do the breaks need to be scheduled?

Rest breaks must be scheduled and can be scheduled at any point in each four-hour period of work.

What about record-keeping?

Here is what the new law (effective January 1) says about retention of records:

“The employer shall provide a mechanism to record when an employee misses a meal or rest period and retain these records.” ([Substitute House Bill 1879](#)). It does not speak to retaining records on the schedule. The Washington State Department of Labor & Industries treats breaks that are not scheduled as non-compliant with the law. Scheduling your breaks is setting your intention to take it then or the employer’s intention to provide relief for you then. If the shift changes, and you are unable to take your break at that time, you should be working with those on your floor who can provide coverage to take your break, as everyone’s ultimate goal is that we all get timely breaks. If you are unable to take your break when scheduled because of patient care needs, that should not count as a waiver of your right to take that break. Waivers must be filled out in advance of the break. You should absolutely document your missed break(s) by using all applicable codes when clocking out every time.

What do I do when my manager wants to speak with me about my missed breaks?

Remember your Weingarten rights (if you believe this conversation will lead to discipline now or in the future, you may request to have a union representative present for the meeting). If you have been assured the conversation isn’t disciplinary in nature, circle back in writing to confirm that later and engage professionally in the conversation.

Remember that you are a good nurse and that you want to take your breaks as much as the Hospital’s staffing will allow. Use the conversation as an opportunity to openly share with your manager the ways in which the system doesn’t support you to do so and share aspects of your work that make it hard to take breaks without someone relieving you if that is the issue. As nurses, we tend to always work to make things better for those around us and this can come at the sacrifice of ourselves. Don’t forget that you are allowed to take care of yourself, and if the system isn’t helping you do that, it is a problem with the system, not with your skills or abilities as a nurse. Also, know that leaders at L&I know this is a problem in general with healthcare jobs, and they have your back when it comes to taking what you are entitled to as an employee in this state. Come with examples of what would help improve the system. **Stay focused on the safety of the situation.** It isn’t personal. **It isn’t a failure of you or your leader; it is a failing of the system.**