

KOGAN COUNSEL APC

DAILY MEAL PERIOD LOG

Free template for California employers

Keep one sheet per location, per day. Retain completed sheets for at least four years.

Business / location: _____ Date: _____ Manager on duty: _____ Manager signature: _____

REMINDER: A first meal period of at least 30 uninterrupted, duty free minutes must BEGIN before the end of the 5th hour of work, and a second must begin before the end of the 10th hour. You cannot ask an employee to give up a meal period the law requires. This sheet records that the break was made available and what the employee actually did. When a meal period is missed, late, short, or interrupted, pay the one hour premium.

Employee name	Clock in	Clock out	Hours	Meal start	Meal end	Meal began before 5th hr?	If no or short, what happened (employee's own choice, rush, etc.)	Premium hour paid	Employee initials
						Y / N		Y / N	
						Y / N		Y / N	
						Y / N		Y / N	
						Y / N		Y / N	
						Y / N		Y / N	
						Y / N		Y / N	
						Y / N		Y / N	
						Y / N		Y / N	
						Y / N		Y / N	
						Y / N		Y / N	
						Y / N		Y / N	
						Y / N		Y / N	
						Y / N		Y / N	
						Y / N		Y / N	
						Y / N		Y / N	

Manager: initial each shift you personally reminded staff to take their break. Employee initials confirm only what is written on that line, not a waiver of any right.

MEAL PERIOD WAIVER AGREEMENT

For shifts of six hours or less, and for a second meal period on shifts of twelve hours or less

Employee name: _____ Position: _____

Employer / location: _____

1. First meal period, shifts of six hours or less

California law entitles me to an unpaid, duty free meal period of at least thirty minutes when I work more than five hours in a day. When my total hours worked in a day will be six hours or less, I may give up that meal period by mutual consent. I agree that on those days I choose to waive the meal period. I understand this waiver applies only when my total work that day is six hours or less.

2. Second meal period, shifts of twelve hours or less

When I work more than ten hours in a day, I am entitled to a second unpaid, duty free meal period of at least thirty minutes. When my total hours worked that day will be twelve hours or less and I actually took my first meal period, I may give up the second meal period by mutual consent. I agree that on those days I choose to waive the second meal period.

3. What this agreement does not do

This agreement does not give up any meal period the law requires on longer shifts. On any day I work more than six hours, I am to be provided a full, uninterrupted, duty free meal period beginning before the end of my fifth hour of work, and I am free to leave the premises during it. No one at this company may pressure me to skip, shorten, delay, or interrupt a required break, and I will not be disciplined or penalized for taking one. If a required meal period is missed, late, short, or interrupted, I am owed one additional hour of pay at my regular rate for that day, and I should report it to management so it is paid.

4. I can cancel this at any time

I may revoke this agreement at any time, in writing, and the revocation takes effect as soon as I give it to my manager. I am signing this freely. I have been given a copy.

Employee signature

Date

Manager signature

Date

HOW TO USE THESE TWO PAGES

- Have every employee sign this waiver page once, at hire. Keep the signed original in the personnel file and give the employee a copy.
- Print the log on page one fresh each day. Keep it on a clipboard where the schedule hangs, not in the office.
- Record actual clock times, not rounded ones. Do not round meal period punches.
- When a meal period is late, short, missed, or interrupted, write down what happened and pay the one hour premium that week.
- Keep completed logs for at least four years. They are the cheapest defense you will ever buy.