

WORK BREAKS, REST PERIODS

Note: Changes to Minnesota’s meal and rest break laws take effect Jan. 1, 2026.

State law requires employers to allow employees restroom time and time to eat a meal. If a break is less than 20 minutes in duration, it must be counted as hours worked and paid. For other breaks to be unpaid, employees must be completely relieved of work duties.

The table below highlights current rest and meal break requirements, as well as Jan. 1, 2026, changes.

Break type	Time	Frequency	Purpose
Rest break	Current: Adequate time	Current: Within each four consecutive hours worked	Current: To use the restroom
	2026: At least 15 minutes (may be longer)	2026: Within each four consecutive hours worked	2026: To use the restroom and more
Meal break	Current: Sufficient time	Current: When working eight or more consecutive hours	Current: To eat a meal
	2026: At least 30 minutes	2026: When working six or more consecutive hours	2026: To eat a meal

For more information, see Minnesota Statutes [177.253](#) and [177.254](#), and Minnesota Rules 5200.0120. The changes that will go into effect on Jan. 1, 2026, are [available online](#).

FAQS: BREAK REQUIREMENTS

The Minnesota Legislature passed updates to the state's meal and rest break laws during the 2025 legislative session. These changes take effect Jan. 1, 2026.

The FAQs below are not a source of law or legal advice and do not contemplate the applicability or effect of any other law or regulation. Furthermore, these answers do not contemplate the impact of provisions contained in a collective bargaining agreement.

What are the changes to rest break requirements that take effect Jan. 1, 2026?

Under the updated rest break law, employers must allow employees to take rest breaks that:

- last at least 15 minutes;
- occur within each four consecutive hours of work; and
- provide time to use the nearest restroom or otherwise take a break.

Under what circumstances would an employer be required to allow more than 15 minutes for an employee to take a rest break?

The updated law requires that an employer allow an employee to take a rest break of at least 15 minutes or enough time to use the nearest convenient restroom, whichever is longer. Therefore, if it takes an employee longer than 15 minutes to use the nearest convenient restroom, the employer must allow the employee to take the additional time needed.

Sample scenario: Rest breaks

On Jan. 2, 2026, Employee A works from 8 a.m. to 5 p.m., with a lunch break from noon to 12:30 p.m. It usually takes Employee A approximately 10 minutes to walk to, use and return from the nearest restroom.

Q: How many rest breaks must the employer allow Employee A to take?

A: Employee A must be allowed to take at least two rest breaks, as Employee A's schedule includes two periods of four consecutive working hours.

Q: How much time must Employee A be allowed for rest breaks?

A: Employee A must be allowed to take rest breaks that are at least 15 minutes long, even though it usually only takes Employee A approximately 10 minutes to use the nearest restroom.

What are the changes to meal break requirements that take effect Jan. 1, 2026?

Under the updated meal break law, employers must allow employees to take a meal break that:

- lasts at least 30 minutes;
- occurs when working six or more consecutive hours; and
- provides time to eat a meal.

Sample scenario: Meal break

On Jan. 2, 2026, Employee B works from 6 a.m. to 6 p.m.

Q: How many meal breaks must the employer allow Employee B to take?

A: The employer must allow Employee B to take at least one meal break, as Employee B is working six or more consecutive hours. Minnesota's updated meal break law does not require more than one meal break if an employee works six or more consecutive hours.

Are any workers not covered by the meal and rest break requirements?

Yes. The meal and rest break requirements are part of Minnesota's Fair Labor Standards Act (MFLSA) and apply to "employees." However, [there are exceptions](#) to who is considered an "employee" under Minnesota Statutes 177.23, subdivision 7 for purposes of MFLSA coverage.

These exceptions include, but are not limited to:

- certain agricultural workers;
- individuals employed in a bona fide executive, administrative, or professional capacity; and
- certain seasonal day camp staff members.

Employers are not required to allow breaks under Minnesota law for workers who fall under these exceptions.

Do employers need to follow the meal and rest break requirements in Minnesota law if they have different requirements in an applicable collective bargaining agreement?

No. Minnesota's meal and rest break laws state that employers and employees may establish break requirements different from those provided under Minnesota law in a collective bargaining agreement.

Do employers need to pay their employees for their break time?

Breaks of less than 20 minutes must be paid. Other breaks can be unpaid, provided that the employee is completely relieved of work duties. If the employee is not completely relieved of work duties, the break must be paid.

My employer requires me to stay at work during my 30-minute meal break. Should I be paid for this time?

No. Employers can require that their employees stay on the premises during their breaks. As the break is 20 minutes or longer, and assuming the employee is completely relieved of their work duties, the time does not need to be paid.

Can I provide the rest break at the end of four consecutive hours worked?

No. Minnesota law requires that rest breaks be offered "within" each four consecutive hours of work. A break offered after an employee works four hours would not meet this requirement.

I understand that under the updated laws, rest breaks must be allowed within each four consecutive hours worked, and meal breaks must be allowed when working for six or more consecutive hours. What are considered “hours worked?”

Hours worked include, but are not limited to, training time, cleaning time, and any other time performing work duties. Hours worked do not include the 30-minute or longer meal break, provided employees are completely relieved of work duties during that time.

Sample scenario: Hours worked

Employee C works from 8 a.m. to 4 p.m., with a meal break from 11:30 a.m. to noon.

Q: Is the employer required to allow Employee C a rest break before the scheduled meal break?

A: No. Rest breaks are only required to be allowed within each four consecutive hours worked. Employee C only worked for 3.5 hours before the scheduled meal break, and the 30-minute meal break is not considered hours worked.

Q: Is the employer required to allow Employee C a rest break after the scheduled meal break?

A: Yes. Employee C works four consecutive hours in the afternoon after the scheduled meal break. The rest break must be offered before 4 p.m., as the updated law requires that employers allow employees to take at least a 15-minute rest break “within” each four consecutive hours of work.

If I have an employee who wants to work through their breaks, do I need to require them to take breaks?

Under Minnesota law, employers must “allow” their employees to take rest and meal breaks. However, employees may choose to not take these breaks.

An analysis of whether an employer “allows” their employees to take breaks is fact-intensive and may include, but is not limited to, whether:

- the employer has breaks-related policies;
- these policies have been communicated to employees; and

- work circumstances make it possible for employees to take breaks.

If an employee voluntarily waives their breaks, it is a best practice to confirm this in writing with the employee. Employers may consider seeking the assistance of an employment law attorney to determine whether their policies and practices allow employees to take breaks as required by Minnesota law.

I would like to schedule my employees to work from 8 a.m. to 4:30 p.m. with a one-hour break from 11:45 a.m. to 12:45 p.m. Can I combine rest and meal breaks under this schedule?

Yes. It would be permissible to combine rest and meal breaks here because employees would still receive a 15-minute rest break within each four consecutive hours worked (11:45 a.m. to noon; 12:30-12:45 p.m.) as well as a 30-minute meal break when working six or more consecutive hours (noon to 12:30 p.m.).

I am pregnant. Do I have the right to additional breaks?

Yes. Under the Women's Economic Security Act, employers must provide pregnant employees with more frequent or longer restroom, food and water breaks if requested.

What are the potential remedies if an employer does not allow required rest and meal breaks?

If an employer does not allow employees rest and meal breaks as required by law, they may be liable for the break time that should have been allowed plus an additional equal amount as liquidated damages. These remedies can be pursued by the Department of Labor and Industry (DLI) or through a private right of action.

Will DLI be conducting rulemaking related to break laws?

DLI continues to evaluate whether it will conduct breaks-related rulemaking but has not made a decision at this time.