Consistent Treatment of Lunches and Breaks
With Related Guidelines for Use of State Vehicles
Facilities Management

The following has been reviewed and approved by University Human Resources to ensure consistent management of lunches and break periods for employees in Facilities Management unit. Any prior University, departmental or work unit policies or work practices inconsistent with or otherwise not specifically addressed by this Revised Lunch/Break Guidelines shall no longer be in effect. Further, these Guidelines shall not be modified, nor shall a “past practice” be created by any operational inconsistencies that might occur in Facilities Management in the future, nor will these Guidelines be considered to establish a “past practice” with regards to any other department or work unit at the University.

Use of State Vehicle

State vehicles are to be used only for work purposes, and employees shall not use a State vehicle to conduct personal business either on or off-campus.

Employees who drive State vehicles may not use the vehicle for breaks or lunches, unless employees are traveling to an office or shop area, but travel to and from this location must occur within the established break or lunch period. When not in use, State vehicles are to be parked in a legal parking space, not on sidewalks.

State vehicles may not be used at any time to drive to local eateries either on or off-campus.

MOU Expectations for Breaks and Lunches

Full-time employees receive two paid breaks, of fifteen (15) minutes each, to occur on opposite sides of the scheduled meal period during their shift. Breaks are to be scheduled consistent with supervisor approval and workplace needs. Employees working less than full-time but 50% or more shall be entitled to one fifteen (15) minute break during their shift, scheduled consistent with supervisor approval and workplace needs.

Employees working six (6) hours or more shall have a duty-free lunch break of at least thirty (30) minutes. Employees shall be allowed to combine breaks and lunch time with prior supervisory approval.

Breaks and lunches may not be used to enable an employee to arrive late to work or to leave early.

Allowable Practices

1. Moving/Combining Lunches and Breaks - For operational reasons, break periods may be combined and/or moved to certain times of day (i.e., will not necessarily fall in the middle of a work period). An entire work unit could also have one or more breaks combined with lunch as a standing practice, with supervisory approval.
Individual employees may request to move their break period if they are, or expect to be, involved in a work activity that will require them to work through their normally established break period(s), or for other reasons with the prior approval of their supervisor. Employees who receive prior approval from their supervisor to combine one or both breaks with the unpaid lunch period are expected to work during the normal break period(s) taken by other employees in the work group.

Employees are expected to normally take their break periods at the designated times. Employees must contact their supervisor before working through a break period, unless an unforeseen work emergency requires their immediate attention. Immediately following the response to the emergency, the employee must contact their supervisor to review the situation and ask about rescheduling their break at another time.

2. Leaving Early - Employees who request leave and clock out before the start of a break period will normally not be paid for the break, and will not be paid for any time after they clock out. The only exception to this is when a work unit has combined the morning break with the established meal period. In that instance, an employee who leaves work at the start of the combined break/meal period will be paid for the 15-minute morning break.

3. Establishing Break Locations - In many cases, breaks can be taken “in place” in the work assignment. However, for operational reasons management can restrict employees from taking their breaks in certain locations.

4. Travel Time - Because breaks can be taken “in place,” no additional travel time is provided or added to the established break or lunch periods except as provided in the Section describing Remote Location Employee below

5. Stopping Work for Lunch - Immediately prior to the start of the lunch period, employees may need to:
   - Secure tools, chemicals and equipment to prevent loss or injury to others; and,
   - Should the lunch break occur in the middle (i.e., prior to completion) of an assigned task, be certain the current work area presents no remaining hazards to persons who may enter the area.

Once tools/equipment are secured and the work area is safe, the employee may begin their lunch period.

At the end of the lunch period (which may or may not be combined with breaks), employees are to be back at their assigned/expected work area and resume work (except as provided below for Remote Location Employees)

Remote Location Employees (RLE)

This refers to employees whose daily assignment requires the employee to work in a location other than where the employee reported at the beginning and/or end of the employee’s shift, and/or to an employee whose assignment requires them to work in a location other than that of the employee’s supervisor AND where both of the employee’s two daily breaks is combined with their lunch.
For purposes of this section, the following definitions shall apply:

1. **"Base location"** – The site from which the employee commences or ends his/her work shift. This term also applies to decentralized campus offices such as SCUBs (Satellite Central Utilities Buildings).

2. **Daily Eligibility Criteria for Ready Time** – Eligibility for ready time is determined on a daily basis provided the employee meets the following criteria: (a) the employee is from an area described in the work groups listed below; (b) his or her assignment for that day causes him or her to perform work at a location other than his or her base location immediately prior to his or her lunch period (as described below); (c) the employee chooses to take his or her lunch period at his or her base location; and (d) the employee must proceed directly from his or her University assignment without leaving the campus, or stopping at another location for personal business before returning to the base location.

A determination will be made on a daily basis as to whether and if so, how much “ready time” (as determined by the supervisor) an employee may be granted on that workday. This means that employee may receive the same, different or no ready time from one workday to the next based on the criteria described herein.

3. **"Eligible RLE"** - An employee who meets the eligibility criteria described for RLE for a specific day. In general, these are employees who, on a daily basis, MAY be required to perform their daily assignments from a location other than their base location. However, whether an employee may be permitted ready time on any given day (and the amount of such ready time as determined by the supervisor) is based on where the employee is performing assignments and the employee’s base location. Office staff, such as clerical workers, work control clerks and other individuals who do not regularly perform their duties away from the employee’s base location during the workday are not considered eligible.

4. **"Work Groups"** - Eligible RLE’s in the following FM work areas may be given paid ready time (assuming the eligibility criteria is met):

   - BL&S: Administrative Services (Maintenance Mechanics only), Housekeeping Services, Landscape Services, Trigen
   - O&M: Area Maintenance, Campus Construction Services, Electric Shop, Evening and Classroom, HVAC, ICA Facilities, Life Safety, Piped Services
   - OFA: Logistics (Storekeepers), Auto Services, Meter Shop

   *It is understood that inclusion in one of these work areas does not entitle any employee to ready time UNLESS all other eligibility criteria for that day are met.*
5. **"Freestanding Breaks"** - One or more of an RLE’s 15-minute breaks NOT regularly combined with the employee’s lunch break (as defined in Article 3, Sections 3 and 4 of the 2004 Nonexempt Memorandum of Understanding).

6. **"Lunch period"** - Where both of an RLE’s 15-minute breaks are regularly combined with the lunch break.

7. **"Ready time"** - A period of time paid by the University for a covered bargaining unit employee from one of the work groups described above to leave from his/her assignment prior to the employee’s lunch period which is **in addition to the employee’s lunch period**, up to the maximums described herein. An employee who wishes to use ready time may only do so if the employee wishes to return to the employee’s base location. It is recognized and understood that a portion of this ready time may be used for activities such as transportation to the base location and clean up, e.g., hand washing, however, the total amount of paid ready time **shall not exceed fifteen (15) minutes** (as determined by the supervisor). **Except as provided in Paragraph 3, “Operation of Ready Time,”** any time in excess of fifteen (15) minutes will be deducted from the employee’s lunch period. Where an employee qualifies for ready time at the beginning of his or her lunch period, University paid time will be afforded the employee to return to his/her next work assignment (if at a remote location) as quickly as practicable (but no more than fifteen (15) minutes, in accordance with the supervisory determination). It applies only to an eligible RLE’s lunch period (as defined in this document) and does not apply to any freestanding break an employee may have during his/her workday.

For example, a Housekeeper working in the Chesapeake Building would be permitted ready time to return to the SCUB 4, the employee’s base location. However, if that same Housekeeper was reassigned to the Comcast Building the next day, no ready time would apply as the employee begins and ends his/her shift in that same building.

"Ready time" has no applicability to any other department or work unit at the University of Maryland, College Park.

While it is understood that operational decisions remain a management right, where operations permit, supervisors shall consider the majority preference of the work group. To that end, a majority of all employees in a work group, by zone (such as all Housekeepers in Zone 2 or All Maintenance Mechanics in Zone 3) who do not already have both breaks combined with lunch shall indicate their preference for a work schedule which would permit ready time. It is understood that absent an expression of a majority preference to have both breaks combined with lunch, ready time would not be available. Supervisors shall consider whether the operations permit accommodating the majority preference of such work groups and such majority preference shall not be unreasonably denied.
Operation of Ready Time

1. An employee who chooses to travel from the employee’s assignment back to the employee’s base location for their lunch period shall be entitled to ready time necessary for such travel, up to a maximum of fifteen (15) minutes (as determined by the supervisor). Employees are expected to use no more than the minimum amount of ready time needed; if ready time is not needed, it should not be utilized. It is the responsibility of supervisors to monitor their employees in this regard. The following examples are illustrative but not exclusive:

   (A) A Plumber who requires only five (5) minutes to return to the base location should not leave his/her previous work assignment location until five minutes before the start of the employee’s lunch period as only five (5) minutes of ready time is likely needed.

   (B) A Groundskeeper whose previous work assignment location is fifteen (15) minutes away from his/her base location shall be granted that full allotment of ready time as paid time in addition to his/her lunch period.

2. No employee shall receive paid ready time if the employee proceeds directly from his/her work assignment to any location other than the base location (except to pick up other members of the employee’s crew, as approved by management). Rather, such time shall be part of the lunch period itself.

   The following examples are illustrative but not exclusive:

   (A) An employee working at an on-campus assignment location who chooses to go to an on-campus eatery during his/her lunch period before returning to the same or another on-campus assignment location is not entitled to paid ready time.

   (B) An employee who works from a SCUB would be entitled to paid ready time only to return to that SCUB, and cannot use ready time to visit the Stamp Student Union.

3. It is also recognized that upon rare occasions, certain campus events may substantially impact travel across campus, causing employees to be unusually delayed in reaching their base location (or assignment where the campus event impacts travel at the conclusion of the lunch period). Supervisors may exercise discretion in monitoring such events and on a case-by-case basis, additional time may be granted. However, such exceptions are expected to occur only rarely and in no event more than once or twice a year.

4. At the close of the lunch period, the employee is expected to return to his or her work assignment location as quickly as practicable. In the event that the employee is leaving his/her base location after the lunch period to a remote location assignment, the employee shall be paid during such travel to the extent required (as determined by the supervisor) provided such time does not exceed fifteen (15) minutes.

5. No employee shall receive ready time for any freestanding break; such breaks are anticipated to be taken “in place.”
6. An employee whose assignment results in the employee being off campus in a State vehicle at the time of their lunch period MUST obtain supervisory approval in advance of using any State vehicle for any purpose during their lunch period (see “Use of State Vehicles” above).

**Pay Check Distribution for RLE’s**

It is recognized that RLEs may wish to conduct financial transactions during their lunch period on payday. It is also recognized that RLEs may have more limited opportunities to get their paycheck from a supervisor than an office employee. To that end, *assuming the checks have been distributed to supervisors*, the University and its supervisors make the following commitment: For those employees receiving actual checks (as opposed to a direct deposit statement), the University and its supervisors will engage in a reasonable good faith efforts to have such checks available for distribution to employees *not later than the beginning of the lunch period*. While it is recognized that the actual distribution may take several minutes to accomplish, the goal is to get the employee his or her check quickly so that financial and other personal transactions may be accomplished during the lunch period.
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