



Office of the Governor

ARNOLD SCHWARZENEGGER
THE PEOPLE'S GOVERNOR

PRESS RELEASE

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Gov. Schwarzenegger Issues Statement on Meals and Rest Breaks for Employees

Following the Fourth District Court of Appeal's decision in Brinker Restaurant Corporation v. Superior Court of San Diego, Governor Arnold Schwarzenegger issued the following statement:

"We are pleased that the California Court of Appeal issued today a decision squarely addressing many of the central issues in dispute concerning meal and rest periods. The confusing and conflicting interpretations of the meal and rest period requirements have harmed both employees and employers. Today's decision promotes the public interest by providing employers, employees, the courts and the labor commissioner the clarity and precedent needed to apply meal and rest period requirements consistently."

In today's decision, the court held that employers must make meal periods available to employees and cannot impede, discourage or dissuade employees from taking meal periods. However, once made available, the employer is not obligated to police the employee's use of that time by ensuring that the employee takes the meal period.