

Downloaded 2/7/2013 From  
<http://www.dol.gov/whd/regs/compliance/whdfs73.htm>

### **When must breaks and meal periods be given?**

The FLSA does not require breaks or meal periods be given to workers. Some [states](#) may have requirements for breaks or meal periods. If you work in a state which does not require breaks or meal periods, these benefits are a matter of agreement between the employer and the employee (or the employee's representative).

In general, the FLSA does not require breaks or meal periods be given to workers. However, all employers [covered](#) by the FLSA must comply with the Act's [break time for nursing mothers provision](#). Please refer to the [Wage and Hour Division's Nursing Mothers website](#) to obtain additional information on this topic. Some states may have additional requirements for breaks or meal periods. If you work in a state which does not require breaks or meal periods, these benefits are a matter of agreement between the employer and the employee (or the employee's representative).

### **What must an employer provide to workers who want to express breast milk in the workplace?**

Effective March 23, 2010, employers are required under the FLSA to provide [unpaid break time](#) and space for nursing mothers to express breast milk for one year after the child's birth. Where employers already provide compensated breaks, an employee who uses that break time to express milk must be compensated in the same way that other employees are compensated for break time. See [WHD Fact Sheet # 73, Break Time for Nursing Mothers under FLSA](#). In addition, the FLSA's general requirement that the employee must be completely relieved from duty or else the time must be compensated as work time applies. See [WHD Fact Sheet #22, Hours Worked Under FLSA](#). Please refer to the [Wage and Hour Division's Nursing Mothers website](#) to obtain additional information on this topic.

Downloaded 2/7/2013 From  
<http://www.employmentlawhandbook.com/wage-and-hour-laws/state-wage-and-hour-laws/kansas/>

### **Meals and Breaks**

Kansas does not have any laws requiring an employer to provide a meal period or breaks to employees, thus the federal rule applies. [KS Dept. of Labor Workplace Laws FAQs](#). The federal rule does not require an employer to provide either a meal (lunch) period or breaks. However, if an employer chooses to do so, breaks, usually of the type lasting less than 20 minutes, must be paid. Meal or lunch periods (usually 30 minutes or more) do not need to be paid, so long as the employee is free to do as they wish during the meal or lunch period.