
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2356 Session of
2024

INTRODUCED BY HOWARD, SANCHEZ, SCHLOSSBERG, MADDEN, PROBST,
KHAN, MAYES, HADDOCK, CERRATO, DELLOSO, HILL-EVANS, OTTEN,
DALEY, GREEN AND KRAJEWSKI, MAY 29, 2024

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, MAY 29, 2024

AN ACT

1 Providing for meal breaks or rest periods for employees; and
2 imposing penalties.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Paid Rest
7 Period for Workers Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Employee." An individual who works part time or full time
13 for an employer or who is under the direction of an employer or
14 a subcontractor of the employer for wages, salary or
15 remuneration of any type under contract or subcontract of
16 employment.

17 "Employer." Any person, including an agent of the person,

1 that engages the services of an employee for wages, remuneration
2 or other compensation.

3 "Meal break or rest period." A period of time in which an
4 employee is permitted to eat lunch or another meal or engage in
5 permitted personal activities and that serves a different
6 purpose than a coffee break, snack break or water break.

7 "Secretary." The Secretary of Labor and Industry of the
8 Commonwealth.

9 Section 3. Meal break or rest period required.

10 (a) General rule.--An employee working in this Commonwealth
11 may not be required to work five or more consecutive hours at
12 one time without the employee being given the opportunity to
13 take at least 30 consecutive minutes for a meal break or rest
14 period.

15 (b) Paid meal breaks or rest periods.--A meal break or rest
16 period required under this act shall be paid and deemed time
17 worked under the act of January 17, 1968 (P.L.11, No.5), known
18 as The Minimum Wage Act of 1968, for the full duration of the
19 meal break or rest period.

20 Section 4. Exemptions.

21 (a) Application to collective bargaining agreements.--This
22 act shall not apply to employees covered by a collective
23 bargaining agreement that specifically addresses meal breaks or
24 rest periods if the collective bargaining agreement provides the
25 same or better rights, protections and benefits that are
26 provided to employees under this act.

27 (b) Emergencies at work place.--A meal break or rest period
28 may not be required in cases of an emergency when there is a
29 danger to property, public safety or public health.

30 Section 5. Investigations.

1 (a) Authorization.--If the secretary receives information
2 indicating that this act may have been violated, the secretary
3 may investigate the matter.

4 (b) Permitted actions.--The secretary may take any of the
5 following actions:

6 (1) Enter and inspect a worksite or place of business at
7 any reasonable time to examine and inspect records that
8 relate to the compliance of this act.

9 (2) Subpoena witnesses, administer oaths, examine
10 witnesses and copy or compel the production of records,
11 contracts and other documents that are necessary and
12 appropriate to the enforcement of this act.

13 (3) Petition the Commonwealth Court to enforce any
14 subpoena or order issued by the Department of Labor and
15 Industry.

16 Section 6. Penalties.

17 (a) General rule.--An employer who violates this act shall
18 be subject to an administrative penalty of not less than \$100
19 and not more than \$500 per violation. For the purposes of this
20 section, the following shall apply:

21 (1) Each employee that is affected by a violation of
22 this act shall constitute a separate violation.

23 (2) Each meal break or rest period that an employer
24 remains in violation of this act shall constitute a new and
25 separate violation.

26 (b) Other relief.--In addition to penalties provided under
27 this section, the secretary shall be permitted to seek other
28 relief, including injunctive relief and costs, reasonable
29 attorney fees and investigation costs.

30 (c) Lost wages.--If an affected employee was denied a paid

1 meal break or rest period required under section 3, the
2 secretary may recover the employee's lost wages on behalf of the
3 employee. If the secretary recovers lost wages under this
4 subsection, the secretary shall transfer any recovery of lost
5 wages to the employee.

6 Section 7. Effective date.

7 This act shall take effect in 90 days.