



California Supreme Court Rules Employers Cannot Round Meal Period Time Punches

Rounding for meal periods not permitted

The California Supreme Court issued a ruling on February 25, 2021, holding that employers may not round employee time punches when employees clock in and out for meal periods.

The employer in the case had a policy of rounding time punches to the nearest 10-minute increment. This resulted in some meal periods being rounded up to 30 minutes even though the employee may have taken less than a full, required 30-minute meal period. Although, on the whole, the employer's rounding policy resulted in more employees being overpaid than underpaid, the court found that concerning meal period punches, rounding was not permitted. It held that because California requires strict compliance with state meal period requirements, a rounding policy applied to meal periods was prohibited, as it could lead to employees receiving meal periods under 30 minutes. It found that even a seemingly minor infraction, such as an employee receiving a meal period of 28 or 29 minutes, would violate California's meal period requirements. This, in turn, would obligate an employer to provide impacted employees with missed meal period premium pay.

What you need to know

It is now clear that employers in California cannot use rounding policies for employees' meal punches. If you employ non-exempt employees in California and your time and attendance system is configured to round employee meal punches, please contact your ADP representative.



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