



Queensland  
Government

Queensland Health

Enquiries to: Leanne Parkinson,  
Senior Advisor,  
Human Resource Branch  
Telephone: (07) 323 40871  
Facsimile: (07) 323 40314  
Our Ref: EB60963

CIRCULAR ER 112/06

**MEMORANDUM**

Sent to: Circular Distribution List

**RE: MEAL BREAKS FOR NURSING STAFF**

Further to Circular ER105/04 the following information is supplied to assist in the interpretation and application of meal breaks for those nurses covered by the *Nurses (Queensland Public Hospitals) Award 2004* (the Award).

Clause 27 of the Award provides:-

*'Meal breaks -- are to be a minimum of 30 minutes duration taken between the fourth and sixth hour from the commencement of duty. By agreement between the employer and the employee, no meal break will be taken by an employee rostered to work six hours or less'*.

The Award also provides at clause 24 that:-

*'The ordinary working hours of all employees will be exclusive of a meal times....'*, that is, the **30 minute meal break is unpaid.**

In those circumstances where a nurse has:-

- worked through a meal break; or
- has a meal break interrupted; or
- is required to hold themselves available within the workplace and cannot be released to have a meal break, free from the workplace;

30 minutes of overtime will be payable.

**Overtime is not payable to staff who have a 30 minute meal break but choose not to leave the facility.**

Office  
Queensland Health  
State Health Building  
147-163 Charlotte Street  
BRISBANE Q 4000

Postal  
Queensland Health  
GPO Box 48  
BRISBANE Q 4001

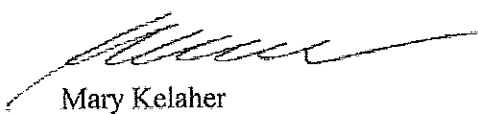
Phone  
(07) 323 41920

Fax  
(07) 323 40314

Consistent with Clause 29.7 of the Award where there is agreement between the parties the employee may substitute the payment of overtime for time off at a mutually convenient time.

Queensland Health recognises that there will be situations where a nurse may need to rely upon their professional judgement in deciding not to take a meal break. In those circumstances where interruptions occur during the meal break or a meal break is unable to be taken, this should be brought to the attention of the Nurse Unit Manager or equivalent to review current staffing arrangements and put in place steps to ensure that meal breaks can be taken.

Any enquiries regarding this matter may be directed to Leanne Parkinson, Human Resource Branch on (07) 323 40871.



Mary Kelaher  
Senior Director  
Human Resource Branch

17/11/2006