

1 State of Arkansas As Engrossed: H3/17/15 H3/25/15  
2 90th General Assembly **A Bill**  
3 Regular Session, 2015

HOUSE BILL 1991

4  
5 By: Representative C. Douglas  
6 By: Senator E. Cheatham

7  
8 **For An Act To Be Entitled**

9 AN ACT TO AMEND PROVISIONS OF TITLE 6 OF THE ARKANSAS  
10 CODE CONCERNING DUTY-FREE LUNCH PERIODS FOR  
11 CLASSIFIED SCHOOL EMPLOYEES; AND FOR OTHER PURPOSES.

12  
13  
14 **Subtitle**

15 TO AMEND PROVISIONS OF TITLE 6 OF THE  
16 ARKANSAS CODE CONCERNING DUTY-FREE LUNCH  
17 PERIODS FOR CLASSIFIED SCHOOL EMPLOYEES.

18  
19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21  
22 *SECTION 1. Arkansas Code Title 6, Chapter 17, Subchapter 22, is*  
23 *amended to add an additional section to read as follows:*

24 *6-17-2207. Duty-free lunch period.*

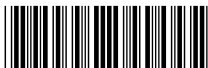
25 *(a) As used in this section:*

26 *(1) "Classified employee" means an employee of a public school*  
27 *or school district who performs work for the public school or school district*  
28 *and is not required to hold a valid teaching license issued by the State*  
29 *Board of Education as a condition of employment;*

30 *(2) "Emergency" means a time when the health and safety of a*  
31 *child is immediately at risk; and*

32 *(3) Full-time non-exempt classified employee" means a classified*  
33 *employee who works thirty-five (35) hours or more per week for a public*  
34 *school district and who is entitled to overtime pay under the Fair Labor*  
35 *Standards Act of 1938, 29 U.S.C. § 201.*

36 *(b) A public school or school district shall provide at least one (1)*



1 thirty (30) minute uninterrupted duty-free lunch period during each student  
2 instructional day for each full-time non-exempt classified employee except in  
3 an emergency.

4 (c) A full-time non-exempt classified employee who receives one (1)  
5 thirty (30) minute uninterrupted duty-free lunch period as provided under  
6 subsection (b) of this section is not entitled to two (2) paid breaks under §  
7 6-17-2205.

8 (d) A full-time non-exempt classified employee who does not receive a  
9 duty-free lunch period as provided under subsection (b) of this section shall  
10 be compensated at his or her hourly rate of pay for each duty-free lunch  
11 period missed.

12 (e) A public school or school district is exempt from this section if  
13 the public school or school district has collectively negotiated a contract  
14 for classified employees through a local teachers' association and the  
15 negotiated contract expressly addresses a duty-free lunch period.

16  
17 /s/C. Douglas  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36