

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

SENATE BILL 570

5 By: Senator L. Chesterfield  
6 By: Representative C. Douglas  
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## For An Act To Be Entitled

9 AN ACT TO REPEAL THE REQUIREMENT THAT A PUBLIC SCHOOL  
10 OR SCHOOL DISTRICT PROVIDE A DUTY-FREE LUNCH PERIOD  
11 FOR FULL-TIME NONEXEMPT CLASSIFIED EMPLOYEES; AND FOR  
12 OTHER PURPOSES.  
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## Subtitle

15 TO REPEAL THE REQUIREMENT THAT A PUBLIC  
16 SCHOOL OR SCHOOL DISTRICT PROVIDE A DUTY-  
17 FREE LUNCH PERIOD FOR FULL-TIME NONEXEMPT  
18 CLASSIFIED EMPLOYEES.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code § 6-17-2207 is repealed.

25 ~~6-17-2207. Duty free lunch period.~~

26 ~~(a) As used in this section:~~

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

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

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



1           ~~(b) A public school or school district shall provide at least one (1)~~  
2 ~~thirty minute uninterrupted duty free lunch period during each student~~  
3 ~~instructional day for each full time nonexempt classified employee except in~~  
4 ~~an emergency.~~

5           ~~(c) A full time nonexempt classified employee who receives one (1)~~  
6 ~~thirty minute uninterrupted duty free lunch period as provided under~~  
7 ~~subsection (b) of this section is not entitled to two (2) paid breaks under §~~  
8 ~~6-17-2205.~~

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

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

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