

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

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5 By: Representative C. Douglas

6 By: Senator E. Cheatham

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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.

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Subtitle

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

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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

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

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(a) As used in this section:

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

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

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

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(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.

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17 /s/C. Douglas
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20 **APPROVED: 04/06/2015**
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