

# Changes to Minnesota's meal and rest break laws take effect January 1, 2026

State law requires employees working 6 or more consecutive hours to be allowed an unpaid 30-minute break to eat a meal. For the break to be unpaid, employees must be completely relieved of work duties. Employers can require that employees stay on the premises during their break.

If an employee wants to work through their break, employees may choose not to take these breaks. However, if an employee voluntarily waives their breaks, it is best practice to confirm this in writing with the employee.

## What is LDR doing to comply with these rules?

As we approach 2026, LDR will no longer schedule shifts over 5.5 hours to comply with MN Dept of Labor laws related to unpaid meal breaks. This is not a decision we take lightly, but out of necessity to comply with MN Statutes 177.253 and 177.254, and Minnesota Rules 5200.0120. We feel that this will ensure that our clients are attended to and cared for. We realize that not all clients can be left alone while an employee is relieved of their responsibilities for 30 minutes. Schedules will be built to reflect the individual recipient's needs.

- Staff who develop their own schedules with clients will not be able to schedule a shift over 5.5 hours without prior acknowledgment that they are choosing to give up their lunch break. Prior acknowledgement must be completed through the LDR website for each shift where a lunch break is waived. This waiver must be completed at least 24 hours before each shift. Failure to follow this policy will result in write-ups and could lead to dismissal.
- Realistically, there are times when a break may not be able to be guaranteed due to travel, appointments, services being provided in the community, etc. In that event, you may also waive your unpaid lunch break by signing the form on the LDR website stating that you are waiving your right to be relieved of your work duties, while eating your meal, and continuing to be paid. This form must be completed before the end of the originally scheduled shift.

The waiver form can be found on the LDR website under Staff Resources. Forms must be filled out completely with the staff's first and last name, email address, the date of the shift being waived, and their name typed in the acknowledgement box at the end.

Welcome to LDR Home Care

## Break Waiver

I understand that I am entitled to a 30-minute meal break during my shift in accordance with Minnesota state labor laws. However, I am voluntarily choosing to waive this break during my shift.

Name\*

Email\*

Shift Date break is waived & Client served \*

Submission of form indicates I have chosen to waive my break as described on LDR Break Waiver Form (Type Name Here):\*

SEND

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