



# Oregon

Bureau of Labor and Industries

Brad Avakian  
Commissioner

April 7, 2016

MARSHA JOSSY  
ADMINISTRATIVE SPECIALIST II  
WAGE AND HOUR DIVISION  
800 NE OREGON ST #1045  
PORTLAND, OR 97232  
971-673-0808

BURGERVILLE LLC DBA BURGERVILLE USA  
1135 NE MLK JR BLVD  
PORTLAND, OR 97232



Re: Provisions for Rest Breaks and Meals  
Ref: 16-0798

This office is responsible for the administration and enforcement of Oregon's wage and hour laws. We regularly receive information from various sources concerning possible violations of the statutes we enforce. We recently received information which indicates that your company may not be providing required rest breaks and/or meal periods to your employees.

Oregon Administrative Rules (OAR) 839-020-0050 and 839-021-0072 require employers to provide PAID rest periods of at least 10 minutes for adults and 15 minutes for minors during each four hours (or major portion) of work time. As far as possible, the rest period is to be taken in the middle of the work segments, and may not be added to meal periods or used to adjust scheduled working hours.

In addition, meal periods of not less than 30 minutes must be provided to non-exempt adult employees who work six or more hours in one work period. If the work period is seven hours or less, the meal period is to be taken between the second and fifth hour worked. If the work period is more than seven hours, the meal period is to be taken between the third and sixth hour worked. Employees are required to be relieved of all duties during the meal period, unless an exception permitted under law applies that prevents the employee from being relieved, in which case the employee must be paid for this time.

It is not necessary to respond to this letter. Please review your company's practices. If you find that your practices are in conflict with the law, take immediate and proper steps to correct the situation. Violations of the laws and rules regarding rest breaks and meals could result in the assessment of civil penalties of up to \$1,000 for each violation.

If you have any questions regarding the complaint, you may contact our office at 971-673-0808. If you have questions regarding the application of wage and hour law, you may contact the Technical Assistance for Employers Unit in Portland at (971) 673-0824.

WH-100 (Rev. 4/15)

Cc: BURGERVILLE LLC DBA BURGERVILLE USA  
109 WEST 17<sup>TH</sup> ST  
VANCOUVER, WA 98660

**PORTLAND**  
800 NE Oregon St. Suite 1045  
Portland, OR 97232-2180  
(971) 673-0761  
Fax (971) 673-0762

**SALEM**  
3865 Wolverine St. NE; E-1  
Salem, OR 97305-1268  
(503) 378-3292  
FAX (503) 373-7636

**EUGENE**  
1400 Executive Parkway, Suite 200  
Eugene, OR 97401-2158  
(541) 686-7623  
FAX (541) 686-7980

**BEND**  
Apprenticeship and Training  
Worksource Bend  
1645 NE Forbes Rd, Ste 106  
Bend, OR 97701-4990  
(541) 322-2435  
FAX (541) 389-8265

Oregon Relay TTY:711

**MEDFORD**  
Apprenticeship and Training  
119 N Oakdale Ave.  
Medford, OR 97501-2629  
(541) 776-6201  
FAX (541) 776-6284

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