

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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**HOUSE BILL 551*
Committee Substitute Favorable 5/6/19**

Short Title: LRC Study - Require Paid Work Breaks.

(Public)

Sponsors:

Referred to:

April 3, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY
3 AMENDING THE WAGE AND HOUR ACT TO REQUIRE EMPLOYERS TO PROVIDE
4 A TWENTY-MINUTE PAID BREAK TO ANY EMPLOYEE WORKING A SHIFT OF
5 SIX HOURS OR MORE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.(a)** The Legislative Research Commission (LRC) shall study amending
8 the Wage and Hour Act to require employers to provide a twenty-minute paid break to any
9 employee working a shift of six hours or more.

10 As part of its study, the LRC shall do all of the following:

- 11 (1) Assess the merit of requiring that employees working a shift of six hours or
12 more be provided a twenty-minute paid break by their employers and the
13 economic impact of imposing such a requirement.
- 14 (2) Determine whether other states have imposed such a requirement and
15 investigate the results of such legislative mandates, including the economic
16 impact.
- 17 (3) Assess the need to restrict the use of the paid break to delay the beginning or
18 shorten the duration of the work period without the approval of the employer.
- 19 (4) Evaluate the merit of authorizing the Commissioner of Labor to impose a civil
20 penalty upon employers who fail to provide the required break.
- 21 (5) Identify factors to be taken into consideration by the Commissioner in
22 determining the amount of any such civil penalty, including the size of the
23 business of the person charged and the gravity of the violation.
- 24 (6) Identify and assess procedures by which a violator would be able to challenge
25 the Commissioner's penalty determination.
- 26 (7) Any other matters the LRC deems relevant to its efforts.

27 **SECTION 1.(b)** The LRC shall report its findings, together with any proposed
28 legislation, to the 2020 Regular Session of the 2019 General Assembly upon its convening.

29 **SECTION 2.** This act is effective when it becomes law.

