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# (don't) roundup: california supreme court provides meal period guidance to employers

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On February 25, 2021, the California Supreme Court in *Donohue v. AMN Services, LLC* issued two holdings clarifying employers' duties to provide 30-minute meal periods to employees: (1) employers cannot round employees' time in the meal period context; and (2) employers' time records showing noncompliant meal periods raise a rebuttable presumption of meal period violations.

In *Donohue*, the employer used an electronic timekeeping system to track employees' compensable time. The system rounded workers' time punches for meal periods to the nearest 10 minute increment. For example, the system recorded a 23-minute lunch starting at 11:02 a.m. and ending at 11:25 a.m. as a 30 minute lunch starting at 11:00 a.m. and ending at 11:30 a.m. In effect, the timekeeping system did not always reflect that employees' meal breaks were less than 30 minutes (wherein the employees would be eligible under California law for one hour of premium pay if the employer did not provide them the opportunity to take a 30-minute meal period).

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labor & employment