

State of Arkansas  
90th General Assembly  
Regular Session, 2015

As Engrossed: H3/17/15 H3/25/15

# A Bill

HOUSE BILL 1991

By: Representative C. Douglas

By: Senator E. Cheatham

## For An Act To Be Entitled

AN ACT TO AMEND PROVISIONS OF TITLE 6 OF THE ARKANSAS  
CODE CONCERNING DUTY-FREE LUNCH PERIODS FOR  
CLASSIFIED SCHOOL EMPLOYEES; AND FOR OTHER PURPOSES.

### Subtitle

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

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

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

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

*(a) As used in this section:*

*(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;*

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

*(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.*

*(b) A public school or school district shall provide at least one (1)*



thirty (30) minute uninterrupted duty-free lunch period during each student instructional day for each full-time non-exempt classified employee except in an emergency.

(c) A full-time non-exempt classified employee who receives one (1) thirty (30) minute uninterrupted duty-free lunch period as provided under subsection (b) of this section is not entitled to two (2) paid breaks under § 6-17-2205.

(d) A full-time non-exempt classified employee who does not receive a duty-free lunch period as provided under subsection (b) of this section shall be compensated at his or her hourly rate of pay for each duty-free lunch period missed.

(e) A public school or school district is exempt from this section if the public school or school district has collectively negotiated a contract for classified employees through a local teachers' association and the negotiated contract expressly addresses a duty-free lunch period.

/s/C. Douglas

**APPROVED: 04/06/2015**