

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

SENATE BILL 570

By: Senator L. Chesterfield  
By: Representative C. Douglas

## For An Act To Be Entitled

AN ACT TO REPEAL THE REQUIREMENT THAT A PUBLIC SCHOOL OR SCHOOL DISTRICT PROVIDE A DUTY-FREE LUNCH PERIOD FOR FULL-TIME NONEXEMPT CLASSIFIED EMPLOYEES; AND FOR OTHER PURPOSES.

## Subtitle

TO REPEAL THE REQUIREMENT THAT A PUBLIC SCHOOL OR SCHOOL DISTRICT PROVIDE A DUTY-FREE LUNCH PERIOD FOR FULL-TIME NONEXEMPT CLASSIFIED EMPLOYEES.

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

SECTION 1. Arkansas Code § 6-17-2207 is repealed.

~~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 nonexempt 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 et seq.~~



~~(b) A public school or school district shall provide at least one (1) thirty minute uninterrupted duty free lunch period during each student instructional day for each full time nonexempt classified employee except in an emergency.~~

~~(c) A full time nonexempt classified employee who receives one (1) thirty 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 nonexempt 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.~~

**APPROVED: 04/05/2017**