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Recent Ruling States that Employers Not Required to Enforce Employee Breaks

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A recent California Court of Appeals decision dismissed a class action brought against Chipotle Mexican Grill alleging Chipotle violated labor laws by denying employees meal and rest breaks. In *Hernandez v. Chipotle Mexican Grill, Inc.*, the Second Appellate District of the California Court of Appeal agreed with the Superior Court finding that employers need only provide employee breaks, and not enforce whether or not employees actually take them.

The decision came from a suit filed by terminated Chipotle employee Rogelio Hernandez. Hernandez asserted that although he received all of his breaks, they were frequently denied or interrupted by his managers. Hernandez sought to certify a class of thousands of current and former non-managerial employees who worked shifts for Chipotle since July 2003. Los Angeles Superior Court denied the certification since Hernandez' individual issues could not be accurately linked to employee issues company-wide. The court also noted that requiring enforcement of meal breaks would place an undue burden on employers while creating incentives that might encourage employees to violate company policies. Had the Supreme Court held that employers had to ensure employees take breaks, a class action would then apply.

This case is significant for employers not only for the employee break issues involved, but for employers who need to assess the validity of class certifications brought against their company involving predominately individual issues.

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