



Take Your Breaks

**Know
YOUR
Rights!**



It's time to exercise your rights under the *Public Health System Nurses' and Midwives' (State) Award*.

This is our reminder to you:
TAKE YOUR BREAKS!
They are **LEGAL** entitlements you should expect at your workplace. Read more about your legal rights in your Award.



What's the break between shifts?

You should have a minimum 10 hours rest break between shifts (unless agreed otherwise between you and local nursing management). Refer Award Clause 4(iv)(a).

The requirement for you to have at least 10 consecutive hours off duty before or after overtime shall be reduced to eight hours in the following circumstances:

- Where you and local nursing management have agreed to an eight-hour break between each rostered shift; or
- Where you have exchanged the shift rostered before or after the overtime period with another employee. Refer Award Clause 25(ix)(c).



Take your Meal Breaks

You are allowed a break of not less than 30 minutes and not more than 60 minutes for each meal occurring on duty.

- Breakfast – between 6am and 9am
- Midday Meal – between 12 noon and 2pm
- Evening Meal – between 5pm and 7pm
- Night Meal – between 10pm and 2am.

You must not be required to work during meal breaks as a matter of routine practice unless you agree. Refer to Award Clause 4(ix).

For nurses at HealthShare Patient Transport Services (PTS) refer to Award Clause 4(x)(d).



Take your Tea Breaks

In addition to meal breaks, you are entitled to a 20-minute tea break counted as working time.

Part timers and casuals engaged for less than a whole shift are entitled to 1 x 10-minute tea break. Refer Award Clause 4(x).

With management approval where it's not possible to have your 20-minute tea break, then take a 10-minute break and proceed off duty 10 minutes early.

For nurses at HealthShare Patient Transport Services (PTS) refer to Award Clause 4(x)(d).



What are your breaks on 12-hour shifts?

The day shift may have a span of up to 12.5 hours and shall include 1 x 30-minute unpaid meal break and 2 x 20-minute paid tea breaks. Refer Award Clause 5(v)(d).

The night shift may have a span of up to 12.5 hours and shall include 1 x 30-minute unpaid meal break and a further 60-minute paid break or 2 x 30-minute paid breaks. Refer Award Clause 5(v)(e).

For 12 hour shifts the minimum break is 11.5 hours between shifts. Refer Award Clause 5(v)(h).



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Changing time

If you are not permitted to travel in your work clothes, you are entitled to 10 minutes per shift changing time which counts as working time. Refer to Award Clause 4(xii).



Lactation breaks

In addition to any other rest period and meal break, you are entitled to 2 x paid breaks of 30 minutes per shift for the purpose of expressing milk or breast feeding your child.

Your employer shall provide access to suitable facilities for such purpose. Refer to Award Clause 4(xiii).



Are you asked to be on call during your meal break?

If you are directed to remain on-call during a meal break, you shall be paid an allowance of \$15.88 (July 2022 rate). Refer Award Clause 12(ii)(c).

If you are working a shift of five hours or less, you may elect not to have a meal break. Any time worked during your break shall count as working time and you should be permitted to leave early to make up for the additional time or overtime should apply for this period. Refer Award Clause 4(ix).



Are you taking your lead apron breaks?

If you are required to wear a lead apron, you shall be paid an allowance of \$2.24 (July 2022 rate) for each hour or part thereof that you are required to wear the lead apron. Refer Award Clause 12(iv).

You are entitled to a paid break of 10 minutes where you are required to wear a lead apron for more than one hour. Refer Award Clause 12(iv).

Most importantly, you are entitled to breaks and if they are missed or interrupted then CLAIM IT!

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Join us today and together, we can make our future stronger.

Authorised by S. Candish, General Secretary, NSWNMA | September 2022 | 2

