

667

23 January 2024

**We have a schedule of 8:30 am to 6:00 pm, Monday through Friday, and 9:00 am to 12:00 noon on Saturdays. Given the legal limits of 8 hours per day and 44 hours per week, I wanted to know the implications of that schedule and your recommendations.**

That is a 9 ½ hour schedule + 4 hours on Saturday. To avoid overtime, it is imperative that from Monday to Friday they grant 1 ½ hours of intermediate break for lunch.

And this intermediate break, in order not to be subject to salary and not to give rise to overtime, must be genuinely free.

For example, if an employee works in a store or warehouse and is told that he/she has 1 ½ hours off, but a customer arrives, and he/she has to serve him/her; then it is not authentically time off.

And if during that time, the employee must be attending to calls from his superiors or customers; and he does not have the freedom to disconnect, then that time is not authentically free.

In other words, the person must have the freedom to leave the workplace and go to lunch at a nearby place. He should be free - if he feels like it and if it is possible - to go home. You should feel free to not have to be answering calls from your boss or a client during that time. Even if

you choose to stay at the workplace and bring your pre-made food from home or if you order a Delivery for lunch at the workplace, that time is still free if during that hour and a half, after you eat or while you eat, you have the right to rest and not do anything related to work.