

## Rest Breaks and Meal Periods – *California Only*

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<b>Concur</b>	James Dodson, SVP and GM, Records Management	<b>Concur</b>	Eileen Sweeney, SVP, GM Data Management
<b>Effective Date</b>	01-December-2014		

### 1.0 Purpose and Scope

This policy defines the standard for breaks and meal periods within California. The purpose of the policy is to:

1. Ensure compliance with federal and state regulations regarding nursing mothers and applicable wage and hour laws; and
2. Ensure employees are provided adequate rest and meal periods so that they are properly rested and can work safely and productively.

Where local or federal regulations are more generous to the employee, Iron Mountain will follow such regulations.

This policy applies to all hourly (non-exempt) employees who work for Iron Mountain in California (“Employees”). Salaried (exempt) employees who work for Iron Mountain in California are only affected by the portion of the policy relating to nursing mothers.

### 2.0 Policy Statement

#### 2.1 Rest Breaks

- 2.1.1 Employees are authorized, permitted and expected to take a fifteen (15) minute paid break every four (4) hours worked or major portion thereof. Rest breaks, insofar as practicable, shall be taken in the middle of each four (4) hour work period. This cycle continues throughout the workday.
- 2.1.2 If supervisors and other management personnel instruct non-exempt employees not to take required rest periods or the employee is impeded or discouraged from taking a required rest period, the supervisor is to authorize the payment of an hour of premium pay.
- 2.1.3 Example:
  - 2.1.3.1 No rest period is required for a workday of three and a half (3 ½) hours or less in a work day.
  - 2.1.3.2 A rest period is required if the employee works three and one half (3 ½) hours to six (6) hours.
  - 2.1.3.3 A second rest period is required if an employee works six (6) to ten (10) hours.

- 2.1.3.4 A third (3rd) rest period is required if an employee works from ten (10) to fourteen (14) hours.
- 2.1.3.5 A fourth (4th) rest period is required if an employee works from fourteen (14) to eighteen (18) hours in a work day.
- 2.1.3.6 This cycle would continue if the workday exceeded 18 hours.

## 2.2 Meal Periods

- 2.2.1 Employees who work more than five (5) consecutive hours are expected to take a meal period within the first five (5) hours of their shift. This meal period may only be waived if the shift does not exceed six (6) hours.
- 2.2.2 Employees who work more than ten (10) hours are provided a second meal period which must begin before the beginning of the tenth (10th) hour worked.
- 2.2.3 Employees may voluntarily waive their second meal period if and only if the employee has already taken their first meal period, their workday does not exceed twelve (12) hours and the employee waives the second meal period in writing before it starts.
- 2.2.4 If the workday exceeds fifteen (15) hours, the employee may take a third meal period.
- 2.2.5 Meal periods are unpaid if they are at least thirty (30) minutes of uninterrupted and duty-free time. A duty free meal period means the employee is relieved of all work duties and free to leave the work site. Employees may use this time as they choose free from the direction and control of the Company.
- 2.2.6 Supervisors and other management personnel should not prevent or discourage employees from taking their meal periods unless the supervisor is authorizing premium pay.
- 2.2.7 Example:
  - 2.2.7.1 If the workday begins at 6:00 a.m. and ends at 6:00 p.m. an employee is to take a meal period before 11:00 a.m., and a second meal period before 4:30 p.m.

## 2.3 Premium Pay

- 2.3.1 Employees are required to take their meal periods and rest breaks as scheduled.
- 2.3.2 On those occasions where a supervisor or manager has prevented an employee from taking a timely meal period or rest break, or the employee does not take it because he/she was discouraged to do so by a supervisor or manager, the employee is to be provided one (1) hour of additional pay at straight time.
- 2.3.3 Missing multiple breaks or meal periods does not compound the premium pay.
- 2.3.4 Example:
  - 2.3.4.1 If an employee is instructed or discouraged to work through two (2) rest breaks, the employee receives only one (1) hour of premium pay.
  - 2.3.4.2 If the employee is instructed or discouraged to work through two (2) rest breaks and one (1) meal period during the work day, the employee should receive only two (2) hours of premium pay.

2.3.5 Premium pay does not count as hours worked for overtime calculation purposes.

2.4 Nursing Mothers

2.4.1 A nursing mother will be provided reasonable break time when she needs to express breast milk for her nursing child.

2.4.2 Nursing mothers will be paid for these breaks consistent with this break and meal period policy unless the nursing break is taken during the nursing mother's unpaid and duty-free uninterrupted meal period.

### 3.0 Responsibilities

3.1 Employees

3.1.1 Follow applicable instructions to record time worked, rest breaks and meal periods;

3.1.2 Adhere to this policy, including mobile employees (i.e. Couriers and other transportation employees) who are responsible for managing and monitoring their time to comply with this policy.

3.2 Management

3.2.1 Ensure strict compliance with this process and ensure that all of their direct reports have accurate records of hours worked and meal periods taken so that their staff can be properly paid;

3.2.2 Provide a functional space for nursing mothers to express milk which is not a restroom, is shielded from view and free from intrusion from co-workers and the public; and

3.2.3 Arrange for premium pay as required.

3.3 Regional Senior Vice President

3.3.1 Communicate this policy to their teams;

3.3.2 Require all staff members under their direction to successfully complete required trainings; and

3.3.3 Refer policy violations to Human Resources for disciplinary action.

3.4 Senior Vice President Talent and Employment and Labor Attorney

3.4.1 Responsible for the implementation and overall management of the Rest Breaks and Meal Periods Policy and any related procedures or guidelines;

3.4.2 Establish practical Rest Break and Meal Periods Policy communications and training programs for employees that are suitable for their respective roles;

3.4.3 Approve all policy exceptions; and

3.4.4 Ensure that this policy remains accurate and relevant, is appropriately communicated, and continues to serve the purpose for which it was established.

### 4.0 Definitions

- 4.1 Hourly (non-exempt) Employees - Paid by the hour rather than provided a weekly salary. Non-exempt employees are subject to applicable state or federal law governing hours of work, overtime pay, meal periods and rest breaks.
- 4.2 Nursing Mothers - Women who need to express breast milk for their nursing children.
- 4.3 Premium Pay - One (1) hour of pay at straight time for employees who are prevented from taking a full uninterrupted scheduled rest break or meal period or do not take such a rest break or meal period because they were discouraged to do so by management.

## 5.0 Relevant Control Standards

- 5.1 Fair Labor Standards Act (“FLSA”) and applicable sections of the Code of Federal Regulations (“CFR”)
- 5.2 California Labor Code
- 5.3 California Division of Labor Standards Enforcement (“DLSE”) Wage Orders

## 6.0 Frequency of Amendments

This policy will be updated as needed to support changes in law, operating conditions and company values. At a minimum, this policy will be reviewed and approved every three years for applicability, appropriateness, and effectiveness.

## 7.0 Implementation

- 7.1 Employees with specific questions about this policy may see their supervisor or Human Resources.
- 7.2 Employees who feel they have been asked to work outside of the requirements of this policy are asked to report the issue to Human Resources through HRConnect at 855-462-7547 promptly for a resolution.
- 7.3 Supervisors who have specific questions about this policy may speak with the policy owner or Human Resources.
- 7.4 This policy will come into effect with the issuance of communication from the SVP Talent and the Regional SVPs to key employees who then are responsible for communicating the policy to their teams.
- 7.5 Human Resources will provide training to key functional teams following initial policy communication and any future changes to the policy.
- 7.6 All exceptions to this policy, unless otherwise noted, must be pre-approved by the SVP Talent using the Policy Exception Request Form in Compass.

## 8.0 Related Policies and Controls

Iron Mountain Code of Ethics and Business Conduct  
Employee Acknowledgement Form

## 9.0 Change History

<b>Date</b>	<b>Version</b>	<b>Description</b>
01-06-09	1.0	Initial Policy
20-08-10	2.0	Nursing Mothers Amendment
01-11-14	3.0	Updated Policy by John Roslansky to incorporate California
	4.0	
	5.0	
	6.0	