



Employment Law Note

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New Meal and Rest Break Waiver Requirements for Washington Healthcare Workers



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As we head into fall, Washington healthcare employers should begin preparing for new meal and rest break waiver requirements that go into effect

January 1, 2026. Paying close attention to legal compliance in this area is critical now more than ever. The past few years have seen massive jury verdicts and settlements against large regional medical centers. For example, in 2024, a jury awarded over \$220 million to more than 33,000 hourly employees of Providence Health & Services. Other regional health centers have settled wage and hour cases in the seven figures. The increase in litigation and large verdicts or settlements are driven in part by recent Court of Appeals rulings like *Androckitis v. Virginia Mason Medical Center*, which we covered in our [December 2024 Employment Law Note](#). The most recent changes in the law are discussed below.

Who is Covered?

The healthcare industry is unique in several ways. Unlike other types of employment, it is increasingly common for employees to work shifts of 10 hours or more. Additionally, having set break times in certain healthcare settings could compromise patient care, particularly in emergent circumstances. It is with these distinctions in mind that the Washington State Legislature adopted new meal and rest break requirements for healthcare facility employees. The regulations apply to all hospitals licensed under RCW 70.41. They apply to all employees who work for a hospital licensed under RCW 70.41, who are involved

in direct patient care or clinical services, and who receive an hourly wage or who are covered by a collective bargaining agreement. RCW 49.12.480(3).

2023 Legislative Updates

RCW 49.12.480 and .483 went into effect in 2023 and by now employers should have implemented the requirements. To recap, the law allows rest periods to be taken at any point during each work period during which the employee is required to receive a rest period. For other types of employees (i.e., non-healthcare), a ten-minute rest period must be taken for each four hours of working time, and it must be taken no later than the end of the third working hour. RCW 49.12.480 also provides certain exceptions to the requirement of uninterrupted meal and rest breaks, which are unique to healthcare settings. Breaks may be interrupted due to an unforeseeable emergent circumstance, as defined in RCW 49.28.130, or an unforeseeable clinical circumstance that the employee determines may lead to a significant adverse effect on the patient's condition (unless the employer determines that the patient may suffer life-threatening adverse effects).

The law also allows healthcare employers and employees to agree to combine meal and rest periods during shifts for which the employee is entitled to one or more meal or rest period. It further mandates that employers provide a way for employees to record missed meal or rest periods, requires that employers maintain records of missed meal or rest periods, and requires that employers provide quarterly reports to

