

New Law Exempts Certain Airline Cabin Crew from California Meal and Rest Period Requirements

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Existing law requires an employer to provide an employee with a meal period during a work period of more than five hours per day, except as prescribed. However, on March 23, 2023, Governor Newsom signed [Senate Bill \(SB\) 41](#), which provides that California's meal and rest period requirements do not apply to airline cabin crew employees if they are covered by a valid collective bargaining agreement under the Railway Labor Act.

Under the new law, state meal and rest period requirements shall not apply to airline cabin crew employees if the employees meet the following:

- The employee is covered by a valid collective bargaining agreement under the Railway Labor Act and that agreement contains any provision addressing meal and rest periods for airline cabin crew employees.
- The employee is part of a craft or class of employees that is represented by a labor organization pursuant to the Railway Labor Act (but is not yet covered by a valid collective bargaining agreement)

The second requirement shall apply for the first 12 months that the craft or class of employees is represented by a labor organization and may apply for longer than the first 12 months only if agreed upon in writing by the employer and the labor organization representing the employee's craft or class.

The legislation is an urgency statute and states that it is effective immediately.

If you are in the airline industry and covered by a collective bargaining agreement, then it is imperative that you understand the application of SB41 to your business, as it pertains to meal and rest breaks.

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