

# Navigating Meal Period Compliance: Key Insights From Recent Washington Court Ruling for Employers

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An appellate court in Washington state recently held a hospital liable to pay employees who worked through meal period breaks for their time worked plus compensation for an additional break as a penalty, highlighting Washington employers' obligations to ensure employees take breaks from work during their meal and rest periods.

## Quick Hits

- The Washington Court of Appeals affirmed a lower court's decision requiring a hospital to compensate employees for missed meal periods, not only with the time worked but also with an additional thirty minutes of pay per missed break, as a remedy for depriving them of their statutory break rights.
- The ruling emphasizes the importance of employers in Washington adhering to statutory obligations regarding breaks during meal and rest periods, underscoring that the courts take such obligations seriously and they are not considered mere technicalities.

On September 30, 2024, a panel for the Court of Appeals for the State of Washington affirmed a lower court summary judgment ruling that sided with employees, finding that they were owed additional compensation in the amount of thirty minutes of pay for each missed meal period to compensate them for the deprivation of their right to take a break from work during the meal periods, plus prejudgment interest.

In [\*Androckitis v. Virginia Mason Medical Center\*](#), the appellate court rejected the hospital's argument that the employees need only be compensated for the time of their meal period and that additional pay for the missed periods was an improper, judicially created "penalty."

But the court stated that it is "well-established law" that the Industrial Welfare Act provides employees "a right to the respite of a meal and rest period, an implied cause of action to enforce that right, and a remedy to compensate them for the loss of the statutorily granted opportunity to have

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respite from work.”

The decision is significant for employers because it clarifies that Washington courts will take employers’ statutory obligations to provide meal and rest periods seriously and will not treat failure to provide such periods as mere technical violations of labor law.

## **Background**

The case involved a class action of Virginia Mason Medical Center employees who alleged the hospital violated the Washington Industrial Welfare Act, which empowers the Washington Department of Labor and Industries to protect employees from unhealthy labor conditions, and the Minimum Wage Act.

The employees alleged that even though the hospital had mechanisms for employees to report when they worked through meal periods and receive pay for that time worked, employees were not adequately compensated for the loss of their right to take a meal period.

The trial court granted the employees’ summary judgment, ruling that Virginia Mason owes them an additional thirty minutes of compensation for each missed meal period and that the hospital’s failure to properly compensate employees from the outset was willful, entitling them to “double damages.” The parties had agreed to a damages award of more than \$3.3 million to forgo a trial on damages.

## **Right to a Meal Period and Penalty Pay**

Virginia Mason had argued that it should not be required to make additional or “penalty” payments to employees who work through meal periods beyond paying them for the time they worked. The hospital pointed out that the Minimum Wage Act only requires employees to be paid for the hours worked.

However, the court of appeals rejected that argument, stating it is “predicated on the erroneous notion that the right to the respite of a meal period has no value.” The court explained that the Industrial Welfare Act is not duplicative of the Minimum Wage Act and addresses working conditions beyond the minimum wage.

The court of appeals stated:

Indeed, if an employer could have a policy of providing an employee with an unpaid meal period, require an employee to work during that unpaid meal period, pay that employee for their hours worked, and not provide that employee with another meal period, then, on balance, the employer would receive 30 minutes of additional labor from the employee and the employee would not have received 30 minutes of respite from work—frustrating the legislature’s clear directive in the welfare act to protect workers against unhealthy conditions of labor. We cannot adopt a proposed interpretation that would thwart the purpose of such remedial employee protection measures.

The court of appeals further found the trial court did not abuse its discretion in finding that pay for an additional thirty minutes of work was a remedy as it “reflects that the trial court measured the remedy according to the value attributed by Virginia Mason to the wages for that amount of work by the plaintiffs.”

Finally, Virginia Mason had argued that summary judgment for the employees was improper because there were factual questions over whether employees waived their right to take meal periods. However, the court of appeals ruled that the hospital failed to meet its burden to avoid summary judgment because “[i]t did not present the trial court with specific instances in which its employees had indicated that they had waived their right to a meal period.”

## Key Takeaways

The court of appeals’ decision clarifies that employer obligations to provide breaks from work for meal and rest periods are serious, as the court emphasized that these are not merely technical requirements. The decision suggests that there are few, if any, justifications otherwise, including being short-staffed or busy. The ruling comes after a Washington trial court held another hospital [liable for nearly \\$100 million in damages](#) for time-clock rounding and meal period violations.

The ruling further indicates that simply paying employees for the time worked is insufficient if meal periods are missed or compromised. According to the court, it was reasonable to assess additional damages equal to the pay for a meal period as a penalty for each missed meal period. Employers may need to promptly compensate employees to avoid the assessment of prejudgment interest payments and double damages for meal and rest period violations unless the error is genuinely isolated or inadvertent.

Finally, the decision shows that employers have the burden of proof to avoid summary judgment, and double damages are considerable. The ruling suggests that employers must show that employees, in every case, waived every single meal period not taken or that each missed meal period was truly an inadvertent or isolated mistake.

Employers in Washington state may want to review their policies to ensure that employees actually take breaks from work during required meal and rest periods.

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