

Hours of work and rest and meal breaks

Some members have been told that the annual or weekly expected hours of work set out by the STCA do not include rest and meal breaks while at school. This is incorrect.

The STCA confirms that teachers can be expected to work an average of 40 hours per week or 1816 hours per year (unless they have additional payments and have agreed in writing additional hours for those payments).

Teachers are also entitled to rest and meal breaks as specified in Part 6 of the Employment Relations Act.

The STCA and Employment Relations Act must be read together in interpreting how rest and meal breaks fit into the annual/weekly hours.

Under part 6 of the ERA a work period means the period between when an employee is required to start work and when they finish work. The ERA expressly includes all rest and meal breaks (whether paid or unpaid) as part of the work period. That is, a working day is inclusive of rest and meal breaks.

The definition of a work period is found here:

[ERA 2000 Definition of a work period for rest and meal breaks](#)

Members are not required to keep records of their hours of work other than in exceptional circumstances. If you were to record hours, then all of the hours you are in attendance at school would count towards the 1816 annual hours/average of 40 hours per week.

In discretionary work times when the school is closed for instruction (i.e. outside school hours on open for instruction days, weekends, and school vacations excluding the four weeks annual leave period) you would be entitled to count the minimum statutory rest and meal periods as part of those offsite work periods.

The minimum statutory rest and meal breaks for different periods of work are identified here:

[Employment Relations Act 2000 No 24 Employee's entitlement to, and employer's duty to provide, rest breaks and meal breaks](#)