

Making up for missed rest breaks

Sometimes an employee might need to work when they're supposed to be resting. The employer must still make sure the employee takes their break later or in a different way (known as 'compensatory rest').

The employer must provide compensatory rest when the employee's job involves providing a service that runs for a long time uninterrupted ('continuity of service or production'). Examples include:

- security work
- agricultural work during harvest times

Other cases when the employer must provide compensatory rest are when:

- the business expects more work than usual (a 'foreseeable surge of activity')
- there's an emergency, or anything else unexpected and outside of the employer's control

It's a good idea for the employee and employer to agree together how the compensatory rest is taken. This break should be the same length and type (an 'equivalent period') as the missed break.

3. If the employer cannot provide compensatory rest

If the employer cannot find a way to provide compensatory rest, they must find another way to keep the employee healthy and safe.

For example, they could:

- offer the employee a health assessment (the employee does not have to accept it)
- put them on lighter duties for a while
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give them extra support, such as help from a manager or supervisor

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