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TRAVEL AND SUBSISTENCE PROVISIONS

FOR

PARKING AND HIGHWAY IMPROVEMENT PAINTER (LABORER)

IN

ALAMEDA, ALPINE, AMADOR, BUTTE, CALAVERAS, COLUSA, CONTRA COSTA, DEL NORTE, EL DORADO, FRESNO, GLENN, HUMBOLDT, KINGS, LAKE, LASSEN, MADERA, MARIN, MARIPOSA, MENDOCINO, MERCED, MODOC, MONTEREY, NAPA, NEVADA, PLACER, PLUMAS, SACRAMENTO, SAN BENITO, SAN FRANCISCO, SAN JOAQUIN, SAN MATEO, SANTA CLARA, SANTA CRUZ, SHASTA, SIERRA, SISKIYOU, SOLANO, SONOMA, STANISLAUS, SUTTER, TEHAMA, TRINITY, TULARE, TUOLUMNE, YOLO AND YUBA COUNTIES

RECEIVED
Department of Industrial Relations

JUL 06 2004

Div. of Labor Statistics & Research
Chief's Office

2003-2006

AUTOMOTIVE, MARINE & SPECIALTY PAINTERS LOCAL NUMBER 1176

AND

THE NORTHERN CALIFORNIA DISTRICT COUNCIL OF LABORERS

NORTHERN CALIFORNIA HIGHWAY IMPROVEMENT AGREEMENT

Employer relative to labor relations with the National Labor Relations Board.

C. Employees shall be paid on a day designated by the Employer. Employees shall be paid prior to the end of their shift and not more than one (1) week's pay may be held back to facilitate the handling of payroll.

D. Employers shall provide equipment and conditions that will reasonably insure the safety of the Employees. If unsafe conditions exist, the endangered Employees shall have the right to cease work until the unsafe conditions are corrected.

E. No Employee working in an hourly paid classification shall work, or be paid, on any other basis other than hourly.

F. Employees shall not be discharged for the reason that they received an injury on the job, providing that the injury does not affect their capability to perform the work required of them.

G. Along with the Employees' pay check, the Employer shall furnish all Employees with a statement showing their hourly wage rate, the number of hours worked at straight time, and the number of hours worked at overtime.

H. The Employer shall not require any Employee, as a condition of employment, to furnish, rent, or provide, in any manner, power sanding machines, spray guns, spray equipment, brushes of any kind, or trucks for company use. The Employer shall establish a reasonable policy on hand tools.

I. Sub-Contracting and Sub-Letting

1. Signatory Employers hereto agree not to sublet or sub-contract to their Employees.

2. Subject to the provisions of this section and any other section of this Agreement applicable to subcontractors, if an Individual Employer shall subcontract work herein defined, such subcontract shall state that such subcontractor agrees to be bound by and comply with the terms and provisions of this Agreement.

ARTICLE 13. TRAVEL TIME AND PER DIEM
(Applies equally to both the Automotive Marine & Specialty Painters Local Number 1176 and the Northern California District Council of Laborers Local Unions)

A. Travel Time

1. Travel Time Definition

a. Travel time shall be defined as all time required to travel from the employers' temporality or permanently established yard to the job site or between the job

sites, within the same working day, or from the job site to the Employer's temporality or permanently established yard. Loading, unloading, and other pre/post work shift activities shall be defined as part of travel time.

b. Temporary yard shall be defined as any location that the Employer utilized for the Employee as a temporary domicile, i.e. motel and hotel, etc., for overnight work.

2. Travel Time Application

a. All Employees traveling with the Employer's equipment from the Employer's temporary or permanent yard to the job site shall be on travel time and compensated at one and one-half (1½) times the travel time rate.

b. All Employees traveling with the Employer's equipment in between job sites on the same working day shall be on travel time and compensated at one and one-half (1½) times the travel time rate.

c. Only the drivers of the Employer's equipment traveling from the job site to the Employer's temporary or permanent yard will be on travel time and compensated at one and one-half (1½) times the travel time rate. All other Employees are on their own time.

3. Travel Time Rate

a. Travel time rate shall be paid as defined on the applicable wage schedules.

4. Travel Time Exception

a. Where practical, Employees may be instructed to report to the job site on their own time. Practical is defined as less miles from home to the job site than from home to the permanent yard.

B. Per Diem

1. Per Diem Definition

a. Per Diem shall be compensation paid to Employees in the event that they are required to stay overnight. Effective at the date of publishing in the General Prevailing Wage Rates, the amount of said compensation shall be sixty dollars ($60.00) for each night, or the Employer, at his option, shall provide reasonable overnight accommodations plus $25.00 per night.

2. Per Diem Application

a. Employees traveling wherein the distance from the Employer's permanently established yard to the job site is greater than seventy-five (75) aeronautical miles shall be subject to per diem. In this event, should the Employees be required by the Employer to stay overnight, the Employees shall receive per diem. Should the Employees be required to return to the Employer's yard in lieu of stating overnight, the Employees shall receive one-half (½) per diem; thirty dollars ($30.00), in addition to any travel time the Employees may be entitled to receive.

b. Employees traveling wherein the distance from the Employer's permanently established yard to the job site is less than seventy-five (75) aeronautical miles shall not be subject to per diem unless the Employees are required by the Employer to stay overnight. In this event, the Employees shall be entitled to per diem.

3. Per Diem Payment

a. The amount of per diem shall be paid before leaving the Employer's yard in the event that the Employees are require to stay overnight. In lieu of prepayment, the Employer shall make pre-arrangements for adequate food and lodging for the Employees. Adequate food and lodging shall be defined as three (3) meals per day and a clean, safe, and sanitary place to sleep.

4. Per Diem Notification

a. Reasonable notification shall be given to all Employees who will be required to remain out of town in order to perform their work.

ARTICLE 14. ADMINISTRATIVE WORKING DUES CHECK-OFF
(Applies only to the Automotive Marine & Specialty Painters Local Number 1176)

A. Any Employer covered by the provisions of this Agreement hereby agrees to check-off from the wages of any Employee employed by such Employer, during the term of this Agreement, administrative working dues in the sum of fifty cents ($.50) per hour for all hours worked and will remit such sums to the union at each payroll period, provided the Employee has signed a valid Dues Deduction Authorization Card authorizing such deduction.

B. Such Employer further agrees that, at the time of employment of any Employee, such Employer will submit to each such Employee for his voluntary signature, a Dues Deduction Authorization Card. One copy of which is retained by the Employee, one copy retained by the Employer, and the other copy returned to the Union. This card will be supplied by the Union to the Employer.

C. Such Employer further agrees that at each payroll period, a listing of all Employees covered by this Agreement who have failed to sign a Dues Deduction Authorization Card, together

3. An Employee's rate of pay may not be lowered as a result of the classification of work being performed.

4. Wage Rates: See applicable wage charts.

B. - Public Works on Parking Lots, Playgrounds, and Game Courts.

1. Travel time is to be paid at one and one-half (1½) times the travel time hourly wage.

2. Wage Rates; See applicable Wage Charts.

*** ALL TRAVEL TIME HOURS WILL BE PAID AT TIME AND A HALF**

WAGES JUNE 1, 2003, FOR MEMBERS OF PAINTERS 1176

CLASSIFICATION	BASIC STRAIGHT TIME HOURLY RATE	OVERTIME HOURLY RATE	DOUBLETIME HOURLY RATE	HEALTH & WELFARE	PENSION	(a) VACATION & HOLIDAY	TRAVEL TIME HOURLY RATE *
A – (Journeyperson – Highway) – Striper; Layout and application of painted traffic stripes; hot thermo plastic; tape traffic stripes.	$24.09	$36.14	$48.18	$4.40	$2.00	$1.91	$16.06
B – Trainee for the Above Classifications (b-reference) Trainee							
1st 2000 hrs	12.81	19.22	25.62	4.40	0.00	1.42	8.54
2nd 2000 hrs	13.83	20.75	27.66	4.40	1.00	1.42	9.22
3rd 2000 hrs	15.37	23.06	30.74	4.40	1.00	1.42	10.24
PARKING LOTS, GAMECOURTS, PLAYGROUNDS							
A – Journeyperson: Performs all the craft tasks necessary to layout and install a parking lot.	18.88	28.32	37.76	4.40	2.00	1.91	12.59
B – Trainee: Same as trainee listed above.							
1st 2000 hrs	12.50	18.75	25.00	4.40	0.00	1.42	8.34
2nd 2000 hrs	13.50	20.25	27.00	4.40	1.00	1.42	9.00
3rd 2000 hrs	15.00	22.50	30.00	4.40	1.00	1.42	10.00
PROTECTIVE COATING, RESURFACING, PAVEMENT SEALING, INCLUDING REPAIR WHEN DONE IN CONJUNCTION WITH PAVEMENT SEALING.							
A – Journeyperson: A person who can operate all the machinery and read and follow plans and specifications.	19.51	29.26	39.02	4.40	2.00	1.91	13.00

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HIGHWAY IMPROVEMENT AGREEMENT
WAGE AND FRINGE RATES FOR NORTHERN CALIFORNIA LABORERS

WAGES 07/01/04

A – Journeyperson Traffic Control Person (Lane Closure), Flag Person $23.08
B – Journeyperson Traffic Control Delineating Device 23.38
Application (Installation of Temporary/
Permanent Signs, Pavement Markers,
Delineators, and Crash Cushions), Sandblaster, Waterblaster,
Grinder, Placing Traffic Barricades

A – Travel Time Rate (for above classification) $15.39
B – Travel Time Rate (for above classification) 15.59

FRINGE BENEFIT RATES

Vacation & Holiday $2.28
Health & Welfare 4.84
Retiree Health & Welfare ..... 0.30 } 5.14
Pension 2.16
Training 0.34
Contract Administration 0.06

LABORERS - TRAINEES	Base Wage	Vacation & Holiday	Health & Welfare	Pension	Training	Total Wage
1st 2000 hours	$12.17	$2.28	$5.14	$0.00	$0.34	$19.93
2nd 2000 hours	13.17	2.28	5.14	2.16	0.34	23.09
3rd 2000 hours	14.67	2.28	5.14	2.16	0.34	24.59

Travel Time Rate (for above classifications)

Stage 1 ..... $8.11
Stage 2 ..... 8.78
Stage 3 ..... 9.78

An Employer may employ one Trainee (any stage) for one (1) regular Laborer on his payroll, up to fifty percent (50%) on a project, provided the first Laborer on a project will be a regular Laborer.

All wage rates are from the 2002-2006 Laborers' Master Agreement.

Wage rates will apply to the jurisdiction of the Northern California District Council of Laborers; Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Sierra, Shasta, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba.