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DEPARTMENT OF INDUSTRIAL RELATIONS
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HOLIDAY PROVISIONS

FOR

BRICK TENDER

IN

SANTA CLARA COUNTY

102-270-8

RECEIVED
Department of Industrial Relations

SEP 8 2005

Div. of Labor Statistics & Research
Chief's Office

NORTHERN CALIFORNIA
MASON TENDERS
COLLECTIVE BARGAINING AGREEMENT

JULY 1, 2005 through JUNE 30, 2008

BY AND BETWEEN

NORTHERN CALIFORNIA MASON CONTRACTORS
MULTI-EMPLOYER BARGAINING ASSOCIATION
2882 Grove Way, Castro Valley, California 94346
Phone: (510) 581-2776 | Fax: (510) 581-0266

AND

NORTHERN CALIFORNIA
DISTRICT COUNCIL OF LABORERS
affiliated with the
Laborers' International Union of North America
4780 Chabot Drive, Suite 200, Pleasanton, California 94588
Phone (925) 469-6800 | Fax: (925) 469-6900

c. And if the job site is posted as a "Hard Hat Job".

(The above conditions are as defined by Mr. Richard Wilkins, Chief of the Division of Industrial Safety in his letter dated June 23, 1975.)

Section 3. All State and/or Federal and/or Local Safety Laws, Standards, Rules and Regulations shall be applicable to all work covered by this Agreement. The Employer is solely responsible for implementing and maintaining such Laws, Standards, Rules and Regulations. Neither the Union nor and Local Union is responsible for implementing or maintaining such Laws, Standards, Rules and Regulations.

Section 4. Adequate first-aid equipment shall be maintained and provisions shall be made for the safety of employees covered by this Agreement on each job by the Employer. Each Employer shall arrange for adequate and prompt transportation to a hospital or doctor for any employee who is injured on the job and may require doctor's care or hospitalization, or both. Each Employer must post the name and address of its doctor and Workers' Compensation Insurance carrier on the job site.

Section 5. No employee shall be discharged for refusing to work under conditions injurious to his health or safety as determined under any rule or regulation of the U. S., State, or any political subdivision.

Section 6. Manhaul trucks regularly used for personnel transport but not designed for this purpose, shall be provided with safe seating, and side and end protection to prevent falls. Some convenient means of mounting and dismounting the truck shall be provided. A bell or other means of communication with the driver shall be installed.

Section 7. Employees who as a direct result of an on-the-job industrial injury are unable to complete a full days' work shall nevertheless be paid for the full day on which said injury occurred; provided, however, that said injury requires the attention of a licensed physician.

Section 8. The Local Union with the area jurisdiction of the job site shall be notified within one (1) day (twenty-four (24) hours) of any industrial injury which results in death or requires hospitalization.

ARTICLE XIII - HOLIDAYS - MAKE UP DAY ON SATURDAY

Section 1. The following are the holidays recognized under this Agreement: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday following Thanksgiving Day, Christmas Day and all Saturdays and Sundays. All work performed on Saturdays, and/or before shift begins and/or after shift ends shall be paid for at the rate of one and one-half (1½) times the net wage rate, except when the bricklayers being tender are receiving double time, then, and in that event the mason tenders tending said bricklayers shall also receive double time. All work performed on Sundays and Holidays shall be paid for at the rate of double the net wage rate. If any of the above holidays fall on Sunday, the Monday following shall be considered a holiday. Martin Luther King day will become recognized holiday when and if the five (5) basic Crafts adopt it as a Holiday.

Section 2. In the event a crew is unable to work on a regular weekday due to weather, the Employer shall have the option to request this crew to work on the Saturday immediately following at the straight time rate. It I understood and agreed that the straight time rate shall apply only to workmen who did not work forty (40) hours during the week and in the event any workman exceeds forty (40) hours due to the make up day on Saturday, said workman shall be paid time and one-half (1½) for all time worked in excess pf forty (40) hours in any one (1) week

ARTICLE XIV - HOURS, SHIFT WORK, and WORKING RULES

Section 1. The working hours shall conform with the working hours for the bricklayers as established in the agreement covering the bricklayers in the jurisdiction of the Bricklayers' Local Union is whose jurisdiction the job is located.

Section 2. Any workman who reports for work at the regular starting time and for whom work is provided shall receive not less than one-half a day's pay; and if works more than one-half of the work day in any one day, shall receive not less than a full day's pay thereof, unless prevented from working for reasons beyond the control of the Employer, including, but not limited by such factors as inclement weather, or breakdown of a major unit causing