STATE OF CALIFORNIA

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TRAVEL AND SUBSISTENCE PROVISIONS

FOR

LABORER

Building Construction

IN

SAN DIEGO COUNTY

23-102-4

MASTER LABOR AGREEMENT FOR BUILDING CONSTRUCTION

between

ASSOCIATED GENERAL CONTRACTORS OF AMERICA, SAN DIEGO CHAPTER, INC.

and

THE SOUTHERN CALIFORNIA DISTRICT COUNCIL OF LABORERS FOR SAN DIEGO COUNTY

JULY 1, 2006 Through JUNE 27, 2009

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of this Article shall apply to a four ten hour day work week, provided that the make up day is the next consecutive day following the scheduled four ten hour day work week.

2. It is agreed that the Employer and the Union may mutually agree, in writing, upon different starting or ending times for any of the above mentioned shift arrangements including jacking operations. If the Union agrees to a starting time prior to 6:00 a.m., no overtime rates shall be due for hours worked prior to 6:00 a.m. solely as a result of the earlier starting time.

3. A special starting time of an eight (8) hour shift beginning not later than 3:00 p.m. may be established by the Employer for the field lubrication or repair of equipment.

4. Where the Employer produces evidence in writing to the Union of bona fide job requirement for work that can only be done during night hours due to safety conditions or other requirements, in such case an employee shall work eight (8) consecutive hours exclusive of meal period for which he shall receive eight (8) hours straight time pay, Monday through Friday. All time worked or hours paid for, after eight (8) hours worked or paid for in any one day, or Saturday, Sunday and holidays shall be paid for at the appropriate overtime rate.

D. Tide Work Schedule:

The following provisions shall apply to employees on jobs working a single shift only:

1. When employees are called out to work broken time or tide work, Monday through Friday, the minimum pay for such work shall be eight (8) hours at the applicable, regular straight- time rate. Subject to the above minimum, in computing the time to be paid for under this provision, eight (8) hours or less worked between 7:00 a.m. and 5:00 p.m. shall be paid for at the applicable straight-time rate, and time in excess of eight (8) hours worked between 7:00 a.m. and 5:00 p.m., and any time worked before 7:00 a.m. or after 5:00 p.m. shall be paid for at the applicable overtime rate.

2. When employees are called out to work broken time or tide work on Saturdays, Sundays or holidays, the minimum pay for such work shall be eight (8) hours at the applicable overtime rate.

E. When it is mutually agreed that an emergency exists, such as earthquakes, floods or fire, the starting time for the shift may be made to fit the emergency and eight (8) hours in any twenty-four (24) hour period may be worked at the straight time rate. All other terms and conditions of this Agreement shall apply.

F. Employees shall travel to and from their daily initial reporting place on their own time and by means of their own transportation. The Employer shall be responsible for

payment of wages from the reporting point, as ordered by the Employer, to the jobsite and from job to job and return. However, employees who voluntarily report to a point for free transportation to the jobsite will not be compensated from the time en route and return. For offshore work, employees will receive travel pay at straight-time rates from port of embarkation to jobsite and from jobsite to debarkation regardless of mode of transportation, which transportation shall be at the Employer's expense. If no camp is furnished by the Employer, such transportation shall be furnished daily.

G. Workmen referred to the Employer's job who arrive in an unfit condition for work, without a written dispatch slip from the employment facility, without the proper documentation as set forth on INS I-9 Form, or who are not ready to go to work or who are not otherwise qualified in accordance with their written dispatch slip from the employment facility shall not be paid show-up time or subsistence. Grievances or disputes arising out of the interpretation or application of this particular paragraph shall be referred to the procedure for settlement of grievances and disputes.

H. Any time worked on Saturday, Sunday or holidays outside of the shift hours provided in the Agreement shall be paid for on the basis of the actual hours worked at the Laborers' overtime rate, except that any workmen or employees reporting for work at the stipulated time and for whom no work is provided shall receive pay for two (2) hours at the overtime rate; any workmen or employees who report for work and for whom work is provided shall receive not less than four (4) hours' pay at the overtime rate; and if an employee works more than four (4) hours, he shall be paid for the actual hours worked at the overtime rate.

I. Flagmen shall be entitled to adequate relief for the use of toilet facilities.

J. The Employer shall be required to furnish goggles and/or hard hats where needed. When employees are required to work outside in the rain or snow, they shall be furnished raincoats, rain hats and boots. Employees working in or handling cement or concrete shall be furnished rubber boots and gloves. Employees required to work in mud, slush or water shall be furnished boots and other necessary waterproof clothing. The employee shall return all such clothing of the Employer in the same condition as received, subject to reasonable wear and tear. The employee shall sign for receipt of such protective clothing and on signed authorization the reasonable value of such protective clothing may be deducted from the employee's paycheck. Upon return of the protective clothing, the employee shall be reimbursed in the amount of the deduction.

K. Make-Up Day - Where the regular employee lacks the necessary hours to complete his forty (40) hours in any one week, on a voluntary basis, the employee may work up to an eight (8) hour straight time shift on Saturday. The make-up day shall apply to special or multiple shift arrangements.

L. No employee shall be required to work more than five (5) consecutive hours without a one-half (½) hour meal break. When employees are required to work over five

maximum of eight (8) hours, and the commencement of another straight time shift, unless performing emergency work which is not considered a normal job operation.

2. If employees do not receive the required six (6) hours' rest period, they shall be paid at the applicable overtime rate for each hour worked until they receive six (6) hours' rest off the job or project, regardless if a new workday starts or not.

O. Drinking Water

The Employer shall furnish cool and potable drinking water in sufficient quantities for the needs of the employees and make available sanitary drinking cups and adequate toilet facilities in accordance with California State Law.

P. The parties recognize the applicability of Industrial Welfare Commission Wage Order 16 to work performed under this agreement. Any alleged violation of Wage Order 16 shall constitute a grievance which shall be recognized under the grievance procedure of this agreement.

SECTION 21
HOLIDAYS

The following days are recognized as Holidays:

New Year's Day
Presidents' Day
Memorial Day
Independence Day
Labor Day
Veterans Day (November 11)
Thanksgiving Day
Day after Thanksgiving Day
Christmas Day

If any of the above Holidays should fall on Sunday, the Monday following shall be considered a legal holiday. Work on such days shall be paid at the double time rate. No work shall be required on Labor Day except in cases of extreme urgency when life or property is in imminent danger.

SECTION 22
TRANSPORTATION

Employees shall travel to and from work on their own time and by means or their own transportation. The Employer shall not be responsible for toll expenses.

SECTION 23
PARKING

In the event free parking facilities are not available within three hundred and fifty (350) yards of a jobsite, the Employer will provide such facilities and shall have the right to designate parking areas to be used. Where, because of congested parking conditions, it is necessary to use public facilities, the Employer shall reimburse the employee for the cost, up to a maximum of $8.00 per day, of such parking upon being presented with a receipt or voucher certifying to the cost thereof, such reimbursement to be made on a weekly basis or at the conclusion of the project, whichever occurs earlier. Designated parking areas shall be reasonably level and graded to drain.

SECTION 24
FOREMAN

The Union recognizes that a craft foreman shall be an employee appointed by and under the supervision of the Employer or his representative. The Union further recognizes that craft foremen shall perform certain supervisory functions assigned by the Employer, and the Union will take no action that would impede or interfere with these duties provided they are not in conflict with the terms of this Agreement and/or Safety Laws of California. (Foreman rate and working conditions: see Section 25.)

SECTION 25
LABORERS SPECIAL CRAFT
WORKING RULES AND WAGE RATES

A. Except as specifically hereinafter otherwise provided, work classifications below are covered by this Agreement and shall be within the exclusive craft jurisdiction of the Laborers.

B. Foreman:

Foreman shall be paid at the rate of one dollar ($1.00) per hour above the highest Laborers rate under his supervision. In the event the Employer, at his option, elects to use a Laborer Foreman to supervise other Laborer Foremen, he shall be paid not less than one dollar ($1.00) per hour more than the hourly rate of the highest classified Laborer Foreman over whom he has leadership.

C. Work performed in the following classifications shall be governed by the following rules:

1. Watchmen:

   a. Watchmen shall work eight (8) consecutive hours per day, exclusive of lunch period and forty (40) hours per week, Monday through Sunday, at straight time rates, provided they receive their