

DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Labor Statistics and Research
455 Golden Gate Avenue, 9th Floor
San Francisco, CA 94102

MAILING ADDRESS:
P. O. Box 420603
San Francisco, CA 94142-0603



TRAVEL & SUBSISTENCE PROVISIONS

FOR

BUILDING/CONSTRUCTION INSPECTOR AND FIELD SOILS AND
MATERIAL TESTER

IN

ALAMEDA, ALPINE, AMADOR, BUTTE, CALAVERAS, COLUSA,
CONTRA CONSTA, 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

63-3-9

AGREEMENT

THIS AGREEMENT, made and entered into this 25th day of August 2011 by and between **OPERATING ENGINEERS LOCAL UNION NO. 3** of the International Union of Operating Engineers, AFL-CIO ("Union") and **NORTHERN CALIFORNIA TESTING AND INSPECTION ASSOCIATION, ("NCTIA")** (Employer Association).

RECEIVED
Department of Industrial Relations

JAN 27 2012

Div. of Labor Statistics & Research
Chief's Office

06.00.00 TRAVEL, SUBSISTENCE

06.01.00 *Where to Report.* The Employee shall report at his/her Individual Employer's regularly established office or at the jobsite as directed by the Individual Employer.

06.02.00 *Individual Employer's Regularly Established Office.* For the purpose of Section 06.01.00, the Individual Employer's regularly established office shall mean the office nearest the employee's residence.

06.03.00 *Work at Distant Locations.* When an Employee is working at a location so distant from the Individual Employer's regularly established office as to preclude the Employee from returning to his or her regular place of residence at the end of the working day, the Individual Employer shall furnish at it's expense transportation to and from said location, and pay subsistence during the time the Employee remains there. The Individual Employer shall determine whether or not the Employee is required to return to his or her regular place of residence at the end of the working day. However, if an Employee of his or her own volition leaves said distant location for weekends or holidays to return to his or her regular place of residence, he or she shall during such period be entitled to either subsistence or

transportation to and from his or her residence, at the Individual Employer's discretion.

06.03.01 Travel outside the regular workday in excess of 50 miles from the Employees residence, or the Employers certified laboratory, whichever is closer to the jobsite shall be compensated at the applicable straight-time rates. The IRS Standard mileage rate shall apply to all such miles driven. Such travel time outside the regular workday shall not be the basis for computing overtime and fringe benefits.

06.04.00 *Subsistence.* The Individual Employer shall pay subsistence under Section 06.02.00 hereof, at the rate of eighty-five dollars (\$85.00) per day, on a seven (7) day-per-week basis. The Individual Employer will provide advance subsistence payments to Employees covering the number of days they will be eligible for same, up to a maximum of one (1) workweek, unless otherwise mutually agreed between the Individual Employer and the Employee. In the event an Employee's actual receipted cost for reasonable and customary expenses exceeds the above amounts per day, the Individual Employer shall pay such additional expenses. Provided, however, that the Individual Employer shall have the option of providing suitable room and board without cost to the Employee.

06.05.00 *Use of Personal Vehicle During Time Worked.* Once an Employee exceeds the daily mileage requirement specified in 06.02.01 or reports to work at either the Individual Employer's regularly established office or job site, all travel during the workday to the last job site or the Individual Employer's regularly established office shall be paid. The Employee shall be paid mileage at the IRS adjusted rate in effect, and his or her applicable rate of pay for time spent driving between locations. In addition, the Individual Employer shall pay bridge, ferry, toll road, and reasonable and customary parking charges. A valid receipt must be presented in the current pay period to be eligible for reimbursement. Said reimbursement shall be paid no later than the end of the next payroll period.