

DEPARTMENT OF INDUSTRIAL RELATIONS

Office of the Director – Research Unit

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## SHIFT PROVISIONS

FOR

**ELECTRICIAN:  
SOUND INSTALLER  
SOUND TECHNICIAN**

IN

ORANGE COUNTY

**Note:** The shift provisions provided in the following pages provide guidance on the work hours that are applicable to each shift. Shift differential pay is required and will be enforced during each applicable shift where shift differential pay is in the determinations. Any shift provision restricting the work hours for a particular shift for a type of work will not be enforced on public works. However, if work is performed during hours typically associated with a 2<sup>nd</sup> or 3<sup>rd</sup> shift the appropriate shift rate of pay is required. Shift differential pay shall not apply to work during traditional shift hour (swing or grave) if the determination includes a footnote that indicates that the non-shift rate may be paid for a special single shift. Please note the exemptions in California Code of Regulations Section 16200 (a)(3)(F) do not waive the shift differential pay. These regulatory exemptions only apply to overtime pay. Overtime shall be required in accordance with the determination and Labor Code Section 1810 through 1815.

**Southern California**

**9<sup>th</sup> District Sound & Communications Agreement**

**Addendum No.1 to the 9<sup>th</sup> District Sound & Communications**

**Agreement**

By and Between

**International Brotherhood of Electrical Workers**

And

**National Electrical Contractors Association**

**December 1, 2011 to November 30, 2014**

**RECEIVED**  
Department of Industrial Relations  
FEB 02 2012  
Div. of Labor Statistics & Research  
Chief's Office

**Shift Work**

**Section 3:04** Multiple shifts of at least five consecutive days duration may be worked. Saturdays, Sundays and holidays, if worked within the shift schedule, (although paid according to section 3.02) are considered to be within the five consecutive days' duration.

- (a) The first shift (day shift) shall consist of eight (8) consecutive hours worked between the hours of 5:00 a.m. and 6:00 p.m., Monday - Friday. Employees on the "day shift" shall receive eight (8) hours pay at the regular hourly rate for eight (8) hours work.
- (b) The second shift (swing shift) shall be worked between the hours of 4:30 p.m. and 1:00 a.m., Monday - Friday. Employees on the "swing shift" shall receive eight (8) hours pay at the regular hourly rate, plus an additional 17.3% for all hours worked.
- (c) The third shift (graveyard shift) shall be worked between the hours of 12:30 a.m. and 8:00 a.m., Monday - Friday. Employees on the "graveyard shift" shall receive eight (8) hours pay at the regular hourly rate, plus 31.4% for all hours worked.
- (d) The Employer shall be permitted to adjust the starting hours by up to two (2) hours in order to meet the needs of the customer.
- (e) If the parties to the Agreement mutually agree, the shift week may commence with the third shift (graveyard shift) at 12:30a.m. Monday to coordinate the work with the customer's work schedule. However, any such adjustment shall last for at least a five (5) consecutive day duration unless mutually changed by the parties to this Agreement.
- (f) An unpaid lunch period of thirty (30) minutes shall be allowed on each shift.
- (g) All overtime work required before the established start time and after the completion of eight (8) hours of any shift shall be paid at one and one-half times the "shift" hourly rate.
- (h) There shall be no pyramiding of overtime rates and two (2) times the straight time rate shall be the maximum compensation for any hour worked.
- (i) There shall be no requirement for a day shift when either the second or third shift is worked.
- (j) The appropriate shift shall be determined by the start time of the shift. This chart shall be used to determine which shift and corresponding rate is applicable:

First Shift (Day Shift):	Start time between 5:00 AM and 9:30 AM (Straight Time Rate)
Second Shift (Swing):	Start time between 9:31 AM and 8:00 PM (Straight Time Rate +17.3% )
Third Shift (Graveyard):	Start time between 8:01 PM and 4:59 AM (Straight Time Rate +31.4% )