

SHIFT PROVISIONS

CRAFT/CLASSIFICATION

Electrician: Inside Wireman, Technician; Cable Splicer; Maintenance Electrician; Transportation Systems Electrician; Transportation Systems Electrician (Cable Splicing, Welding & Fiber Optic Splicing); Transportation Systems Technician

ID

61-441-1

LOCALITY

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 2nd or 3rd 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.

SHIFTS

SHIFT WORK

SECTION 6.5 When so elected by the contractor, multiple shifts of eight (8) hours for at least five (5) days' duration may be worked. When two (2) or three (3) shifts are worked:

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 9:00 AM (Straight Time Rate)
Second Shift (Swing): Start time between 9:01 AM and 7:59 PM (Straight Time Rate +17.3%)
Third Shift (Graveyard): Start time between 8:00 PM and 4:59 AM (Straight Time Rate +31.4%)

*For the purpose of established shift work, these will be considered "regular rates of pay"

The Employer shall be permitted to adjust the starting hours of the shift by up to two (2) hours in order to meet the needs of the customer.

If the parties to the Agreement mutually agree, the shift week may commence with the third shift (graveyard shift) beginning before 4:59 a.m. Monday to coordinate the work with the customer's work schedule. However, any such adjustment shall last for at least five (5) consecutive days duration unless mutually changed by the parties to this Agreement.

An unpaid lunch period of thirty (30) minutes shall be allowed on each shift. 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.

There shall be no pyramiding of overtime rates and double the straight time rate shall be the maximum compensation for any hour worked. There shall be no requirement for a day shift when either the second or third shift is worked.

SECTION 6.6 When an employee's shift has ended or he is sent home by the Employer, he shall have ten (10) hours rest before returning to work. If not, the employee shall continue the original shift at the appropriate overtime or double time rate as applicable. The following days start time may be amended according to Section 6.1 (a) and Section 6.5 of this agreement to accommodate the 10-hour rest period.

SECTION 6.7 The first shift may start between 5:00 a.m. and 9:00 a.m.

SECTION 6.8 Shifts will consist of at least five consecutive days duration. Saturdays, Sunday and holidays, if worked within the shift schedule, (although paid according to Section 6.2) are considered to be within the five consecutive days duration. If a shift schedule includes a Saturday, the appropriate rate of pay will be the regular rate of pay (see Section 6.5 chart) plus OT.