

## **SHIFT PROVISIONS**

### **CRAFT/CLASSIFICATION**

Electrician: Inside Wireman (All Shifts); Cable Splicer (All Shifts)

### **ID**

61-684-1

### **LOCALITY**

Mariposa, Merced, Stanislaus, and Tuolumne Counties

### **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 3.16

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 first shift (day shift) shall consist of eight (8) consecutive hours worked between the hours of 8:00 A.M. and 4:30 P.M. Workmen on the "day shift" shall be paid at the regular hourly rate of pay for all hours worked.

The second shift (swing shift) shall consist of eight consecutive hours worked between the hours of 4:30 P.M. and 1:00 A.M. Workmen on the "swing shift" shall be paid at the regular hourly rate of pay plus 10% for all hours worked.

The third shift (graveyard shift) shall consist of eight (8) consecutive hours worked between the hours of 12:30 A.M. and 9:00 A.M. Workmen on the "graveyard shift" shall be paid at the regular hourly rate of pay plus 20% for all hours worked.

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. When a customer requires or jobsite conditions require the working of a shift that is outside of a standard shifts hours, and 4 or more of those hours are worked in the higher paid shift of the two, then the entire non-standard shift shall be paid at the higher of the two wage rates. When determining the

hours for this non-standard shift rate, the hours listed above shall prevail. Adjustment of the starting time to avoid the payment of the higher wage rate shall not be allowed.

If the parties to the Agreement mutually agree, the shift week may commence with the third shift (graveyard shift) at 12:30 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 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.

#### Shift Overlap

##### Section 3.17

Where a single daily shift runs into overtime, a rest period of at least six (6) hours is required before the start of the next day's shift. If this minimum rest period does not occur, the hours worked on the second day are treated as if there had been no rest period and the overtime rate continues from the end of the first day's shift.

#### Shift Work (Tunnel Agreement)

##### Section 4

When such regular night shifts are established the Employer shall establish such shifts on the following basis; said shift may start on any day and shall continue for 5 consecutive regular work days, with times to be established by mutual agreement.

When such regular night shifts are established the shift hours will start and end at the tunnel heading this will also include the regular work day shift when one or more night shifts are established. \*SEE CHANGE HOUSE

Each shift will be scheduled for 7 hours with 8 hours pay, plus travel time. A half (1/2) hour lunch period within the 7 hour shift will be taken at a time scheduled in Lunch Time.

All scheduled shift work ending on the morning of the day following a regular work day shall be considered a regular shift and shall be paid for as such.

Double the regular day shift hourly rate of pay shall be paid for any work in excess of the regular assigned shift.