

## **SHIFT PROVISIONS**

### **CRAFT/CLASSIFICATION**

Carpet Linoleum, Resilient Tile Layer (2<sup>nd</sup> Shift); Material Handler (2<sup>nd</sup> Shift)

### **ID**

200-1247-1

### **LOCALITY**

Inyo, Los Angeles, Kern, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura 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**

Section 10. Shift Work. Shift Work is subject to the following conditions:

(a) Shift Work Schedules. Shift Work is a shift that starts at any time from 3:00 p.m. to 11:00 p.m., Monday through Friday. The day on which the shift starts determines the day of the week of the shift (i.e., a shift starting at 11:00 p.m. on Friday is a Friday shift).

(c) Worker Refusal. Workers shall have the right to refuse Shift Work. The Employer shall not take disciplinary or discriminatory action against workers for their refusal to perform Shift Work.

(d) Overtime on Shift Work. Workers working on Shift Work shall not work more than eight (8) consecutive hours, exclusive of a meal period, unless they are paid the appropriate overtime premium.

(e) Shift Work Premium. Workers on Shift Work and on all work performed after 4 p.m. shall receive the hourly rate for their classification plus a shift bonus premium of twenty percent (20%) of that rate. Appropriate overtime and holiday premiums shall also be computed based upon the total shift rate including the twenty percent (20%) shift premium.