

## **SHIFT PROVISIONS**

### **CRAFT/CLASSIFICATION**

Electrician: Inside Wireman, Technician Second Shift; Inside Wireman, Technician Third Shift; Cable Splicer Second Shift; Cable Splicer Third Shift; Tunnel Wireman Second Shift; Tunnel Wireman Third Shift; Tunnel Cable Splicer Second Shift; Tunnel Cable Splicer Third Shift

Electrician (For Electrical Projects of More Than \$5,000,000) (Applies only to Imperial County): Inside Wireman, Technician Second Shift; Inside Wireman, Technician Third Shift; Cable Splicer Second Shift; Cable Splicer Third Shift; Tunnel Wireman Second Shift; Tunnel Wireman Third Shift; Tunnel Cable Splicer Second Shift; Tunnel Cable Splicer Third Shift

### **ID**

61-569-2

### **LOCALITY**

Imperial and San Diego 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 3.12. MODIFIED SHIFT. (a) The Employer may modify the employee's regular shift, as defined in Article II, Section 3.01 when required by the customer, for the performance of specific types of work.

Work covered by this modified shift includes any maintenance, retrofit, remodeling, tenant improvement, or repair work where the customer requires such work to be performed outside the regular shift hours. The Business Manager of the Union or designated Business Representative and all employees affected by the modified shift must be notified a minimum of forty-eight (48) hours in advance of the beginning of such a shift, except in cases of extenuating circumstances. Work may commence in less time with approval of the Business Manager.

A written notice containing customer shift requirements must follow verbal confirmation.

(b) This modified shift may be used Monday through Friday only for a maximum of four (4) days on any one jobsite. Employees shall not be permitted to work more than one eight (8) hour straight time shift in any twenty-four (24) hour period.

(c) All overtime shall be per Article III, Section 3.03. Shift work of five (5) consecutive days or more duration shall be performed under Article III Section 3.13.

Section 3.13. SHIFT WORK. 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 be 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 (8) 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 17.3% for all hours worked.

The third shift (graveyard shift) shall consist of eight (8) hours 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 31.4% 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.

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 a 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.