

## **SHIFT PROVISIONS**

### **CRAFT/CLASSIFICATION**

Plumber: Plumber, Steamfitter, Refrigeration Fitter (HVAC); Service and Repair;  
Construction Tradesman (Years 2-5)

### **ID**

204-393-1

### **LOCALITY**

San Benito and Santa Clara 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**

#### **ARTICLE XV – SHIFT WORK**

117. Shifts may be established by mutual consent on the following scope of work: refineries, chemical plants, powerhouses and dams, and on other industrial construction and on jobs where circumstances and unusual conditions would create hardships on the Individual Contractor, provided they are working for five (5) or more consecutive working days on the following basis:

A. The regular starting time of the first (1<sup>st</sup>) or day shift shall be 8:00 a.m.; the regular starting time for the second (2<sup>nd</sup>) shift shall be 4:30 p.m.; and the regular starting time for the third (3<sup>rd</sup>) shift shall be 12:30 a.m. The foregoing starting times may be changed when mutually agreed to between the Individual Contractor and UA Local Union 393.

B. Where two (2) or three (3) shifts are worked, the first (1<sup>st</sup>) or day shift shall be established on an eight (8) hour basis; the second (2<sup>nd</sup>) shift shall be established on a seven and one-half (7 1/2) hour basis; and the third (3<sup>rd</sup>) shift shall be established on a seven (7) hour basis. The pay for a full shift on each of the above shifts shall be eight (8) times the hourly wage rates herein provided. However, employees on the second (2<sup>nd</sup>) and third (3<sup>rd</sup>) shift shall have fifteen percent (15%) added to their pay on all taxable monies. All overtime shall be paid at the prescribed base wages. Intent: Shift pay will be calculated on all taxable wages.

C. Employees shall be provided a paid one-half (1/2) hour meal period at the end of their established shift when more than two (2) hours of overtime is to be worked in addition to their established shift. A paid one-half (1/2) hour meal period shall be provided when more than four (4) hours of overtime is worked thereafter. The paid meal periods shall be paid at the overtime rates provided for in this Labor Agreement.

D. A second (2<sup>nd</sup>) or third (3<sup>rd</sup>) shift may be worked without the necessity of a first (1<sup>st</sup>) or day shift. However, all other requirements for shift work, including premium pay, shall be observed for these shifts.