

Shift Language

SECTION 6.01. A workday shall be eight hours consecutive between the hours of 6:00 A.M. and 6:30 pm, with a thirty minute meal period on the employee's own time. Meal period shall be within five hours of shift start regardless if shift includes overtime hours. Meal periods shall be scheduled at the beginning of a project and shall only be changed by mutual consent. A workweek shall consist of 40 hours within Monday through Friday.

SECTION 6.02. 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 17.3% 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 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 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.

(B). Due to tides, ordinances, customer preferences and/or other circumstances not totally within Labor/Management control, the following conditions shall apply:

(1). An irregular shift of not less than three consecutive days may be established by the

Employer and worked on any one project.

(2). Irregular working hours, for one full shift or longer, may be established by the Employer and worked on any occupied office or store which is open for regular and routine business.

(3). Irregular shifts/working hours shall be eight consecutive hours less a 30 minute meal period at the mid-point of the shift.

(C). Employees required to work "irregular" shifts/working hours shall be paid per the following:

(1). 6:00 A.M. to 6:00 P.M.: Eight hours at the regular hourly rate plus ten percent for seven and one-half hours worked.

(2). 6:00 P.M. to 6:00 A.M.: Eight hours at the regular hourly rate plus fifteen percent for seven and one-half hours worked.

(3). Should any shift involve an "overlap" of hours indicated above, employees on such shift shall receive eight hours at the regular hourly rate plus twelve and one-half percent for seven and one-half hours worked.

(4). All overtime work required in excess of irregular shifts/working hours and on Saturdays (excluding Sundays and holidays) shall be paid at one and one-half times the "shift" hourly rate.

(D). The Employer shall notify the Union prior to establishment of any irregular shifts/working hours.

(E). A shift work week, multi- and/or irregular, shall be between the hours of 12:30 A.M., Monday through 12:30 A.M., Saturday.

(F). A work week of four consecutive ten hour days, Monday through Friday may be established by the Employer and worked with crew approval, as long as the Union is notified. Work after ten hours on any day of a four day work week will be paid at double time. Overtime after a ten hour shift is voluntary and refusal to work it is not cause for discharge. (All other overtime provisions of the contract remain unchanged.)

SECTION 6.03. Employees ordered and reporting for work, but not put to work, unless notified at least one hour prior to established starting time, shall be paid two hours. If put to work and work less than two hours, employees shall be paid two hours. If employees work more than two hours, they shall be paid for four hours. If employees work more than four hours, they shall be paid for actual hours worked. All payments shall be at applicable rates.

(A). Employees who voluntarily quit, lay off, or are discharged for cause shall be paid for actual hours worked.

(B). This Section shall not pertain to work of a service call nature or life/property endangering emergencies, under which circumstances employees shall be paid for actual hours employed.

SECTION 6.04. Employees required to work in excess of established working hours, during meal periods, and on Saturdays, shall receive one and one half times the straight time hourly rate of pay.

The first two hours of overtime, Monday through Friday, and the first ten hours on Saturday shall be paid at time and one half. All other overtime, including Sundays and Holidays, shall be paid at double time.

Employers intending to institute "overtime" work on Sundays/holidays shall notify the Union.

(A). Employees required to work during established meal periods shall be granted, on their own time, a 30 minute meal period as soon as practical thereafter.

(B). Overtime preference shall be given to employees on the job before others are allowed to perform such work, except where specialized work is required and there are not sufficient numbers of "specialty" employees employed on the job.

(C). Employees not notified of overtime before the completion of the previous day shift prior to commencement of overtime shall reserve the right to refuse such work provided replacement employees on the job are readily available.

(D). Employees required to work longer than ten hours shall be allowed an additional thirty minute unpaid meal period at that time (10 hours) and additional thirty minute unpaid meal periods at four hour intervals thereafter, provided work is scheduled to continue after the meal period.

(1). If employees have not been notified in advance (the day previous) of scheduled overtime, the Employers, at their expense, shall provide employees meals, hot, if available within 15 road miles of the job/project. Employees notified in advance shall furnish their own meals as required.

(2). If no meal is provided at the required meal periods all work shall cease and the employees shall be allowed sufficient time, on the Employer's time, to partake in a meal before returning to work.

Should job site conditions not allow a total cessation of work, a variation of the meal requirements will be allowed provided it is mutually agreeable between the Employer and the employees.

(E). No work shall be performed on Labor Day except for the protection of life or property.

(F). Employees required to work without eight hours off from the end of their last shift shall be considered on overtime and paid at one and one half times the straight time hourly rate of pay until the eight hours off time is accomplished.

SECTION 6.05. The following holidays (or any holiday recognized by a Building and Construction Trades Council within the jurisdiction of the Union) shall be observed: New Year's Day, President's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, the day after Thanksgiving Day and Christmas

Day.

(A). Should any holiday fall on a Sunday, the following Monday shall be observed.

(B). Should any holiday fall on a Saturday, the preceding Friday shall be observed.

SECTION 6.06. Employees required to report to an Employer's shop, offices, supply house, change shack or field headquarters, shall not leave such point earlier than the established starting time nor return later than the established quitting time unless overtime rates are paid.

(A). Should employee time-recording gates and/or areas be established, employees shall clear such point no later than the established quitting time, unless overtime rates are paid.

(1). If employee parking is in excess of 500 yards from the point as indicated in "A" above, the Employer shall provide transportation to and from the designated parking area to and from said point.