

## SHIFT PROVISIONS

### CRAFT/CLASSIFICATION

Plumber: Fire Sprinkler Fitter (Protection and Control Systems, Overhead and Underground): Fire Sprinkler Fitter (Protection and Control Systems, Overhead and Underground) – 2<sup>nd</sup> Shift

### ID

204-709-1

### LOCALITY

Los Angeles, Orange (Rate applies to Orange County, except the following cities or communities: Aliso Viejo, Capistrano Beach, Coto De Caza, Dana Point, El Toro USMC Air Station, Emerald Bay, Laguna Beach, Laguna Hills, Laguna Niguel, Lake Forest, Leisure World (Laguna Beach Area), Mission Viejo, Modjeska, Rancho Santa Margarita, San Clemente, Three Arch Bay, San Juan Hot Springs, Silverado Canyon, South Laguna & Trabuco Canyon), San Bernardino (Applies to the cities of Ontario and Montclair), and Ventura (Rate applies to Ventura County except for the following cities: Casitas Springs, Colonia, El Rio, Faria, Foster Park, Hollywood Beach, La Conchita, Live Oak Acres, Lockwood Valley, Meiners Oaks, Miramonte, Montalvo, Oak View, Ojai, Oxnard, Pierpont Bay, San Buenaventura, Saticoy, Seacliff, Solimar Beach, Summit, Ventura, and Wheeler Springs) 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 2<sup>nd</sup> or 3<sup>rd</sup> 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 10

#### SHIFTS AND OFF HOURS

46. Where the nature of the work requires the working of employees covered by this Agreement on a shift basis, the shift arrangement shall be as follows:

47. The employer shall notify the Union 48 hours prior to establishing shift work. Shift work may begin any regular working day but must continue for a period of not less than five (5) consecutive workdays.

48. Hours between 5:00 a.m. Saturday and 5:00 a.m. Monday are not shift hours or "off hours". The twenty-four (24) hours from 5:00 a.m. of the holiday are not shift-hours or "off hours".

49. With respect to off hours and shift work only, the employees shall be entitled to seven (7) consecutive hours off between shifts. In the event an employee is not allowed at least seven (7) consecutive hours off between shifts, such employee shall be paid at the respective overtime rate, until seven (7) consecutive hours off between shifts are met.

50. All shift work must have as minimum two (2) men, unless Article 15 can be applied.

51. The starting and stopping times of shifts may overlap. Once shift rate has been established, shift rate shall be paid for entire shift.

52. The second (2nd) shift shall follow immediately the regular workday (first shift).

53. If three shifts are established, these shifts shall be continuous, and shall be eight (8) hours of work for each shift.

54. The hourly rate on the second and third shifts shall be fifteen percent (15%) above the journeyman's basic hourly rate. On all buildings that are occupied and the hours are not under the control of the contractor, and the hours do not fall into the category of the regular work day or the shift clause cannot apply, the contractor may bid the "off hours" at straight time plus 15%.

This paragraph shall not apply to new construction or emergency work:

55. It is understood that prior to the initiation of the "off hours" shift, the owner of such building (or owner's representative) shall provide a written confirmation as to the owner's necessity that the work in the above paragraph be done during the "off hours" period and a copy of that confirmation be provided to the Union prior to the commencement of the "off-hours" work. The confirmation shall be submitted to the Local Union at least twenty-four (24) hours prior to the commencement of the "off-hours" shift.