

## **TRAVEL AND SUBSISTENCE PROVISIONS**

### **CRAFT/CLASSIFICATION**

Tile Finisher; Red Circled Finisher; Tile Setter

### **ID**

18-3-7

### **LOCALITY**

Alameda, Alpine, Amador, Calaveras, Contra Costa, Del Norte, Fresno, Humboldt, Kings, Lake, Madera, Marin, Mariposa, Mendocino, Merced, Monterey, Napa, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Siskiyou, Solano, Sonoma, Stanislaus, Tulare, Trinity and Tuolumne Counties

### **TRAVEL AND SUBSISTENCE**

SECTION 40. VEHICLES. No employee shall be required to furnish a truck or other vehicle to the Employer, whether compensated or not. The Employer shall supply adequate transportation facilities to employees engaged in the patching and servicing of tile work. Employers may require the return of Employer-provided vehicles at any time at their sole discretion.

SECTION 72. TOLLS AND PARKING. Where an employee in traveling to or from work for an Individual Employer incurs a bridge or any other kind of toll or fare, or is required to park in a parking lot in a metropolitan area, the employee shall be reimbursed by the Individual Employer upon presentation of the receipt with the employee's current time card. The maximum reimbursement for parking expenses is forty-five dollars (\$45.00) per day, unless prior written approval is obtained for a higher amount. Mass transportation, such as BART, or Public transportation expenses shall be reimbursed to a maximum of twenty dollars (\$20.00) per day upon production of receipts.

### **ARTICLE IX. TRAVEL ALLOWANCES, TRAVEL TIME, MILEAGE AND SUBSISTENCE**

#### **SECTION 74. MILEAGE DETERMINATION**

(a) For the purpose of determining travel allowances, travel time, mileage and subsistence, distance shall be measured from the Individual Employer's principal place of business or the employee's residence; whichever is closer to the job site.

(b) The Individual Employer's principal place of business is the city or town recognized as such by the California Contractors State License Board (CSLB), provided, however, that such office or shop must be a bona fide place of business that is permanent, that is owned by the Employer or leased by the Employer for a term of not less than one year, that is not shared with a company not a signatory to this Agreement that performs or is licensed to perform tile and stone installation and that is used for both the transaction of business and the storage of materials, from which vouchers are dispatched and where day-to-day operations are carried out. A shop or an office is not a bona fide place of

business if it is used to assist a company not signatory to this Agreement to perform tile or stone installation within the area covered by this Agreement, with the understanding that if a company that is signatory to this Agreement operates a fabrication shop and sells to third parties, the signatory employer's shop or office is still bona fide. Temporary offices or other places of business established at or near the job site after bid opening date shall not be recognized as principal places of business for purposes of this Article. Small Individual Employers whose principal place of business is a home office, but whose CSLB-recognized address is a Post Office box in the same town or city as their home office, may use the home office as their principal place of business for the purpose of this Section.

(c) Any Individual Employer, which has no principal place of business within the area covered by this Agreement, shall use only the employee's residence for the purposes of this Article.

(d) Any Individual Employer that changes its principal place of business shall continue to pay travel and subsistence based on its original principal place of business on all jobs that have commenced before the Employer has established its new principal place of business, but shall be permitted to pay travel and subsistence based on its new principal place of business on all jobs that commence after the Employer has established its new principal place of business. The Union and the Association shall have discretion to agree to waive or modify the provisions of this Section 74 to accommodate an Individual Employer that has been involuntarily forced to relocate its principal place of business and needs to lease temporary space until it can obtain a new permanent principal place of business, upon the request of such Employer.

(e) Any Individual Employer whose principal place of business described in Section 74 is located outside the geographical jurisdiction covered by this Agreement that comes into this jurisdiction to perform covered work shall obtain all employees to perform such work pursuant to Article II of this Agreement.

**SECTION 75. UNCOMPENSATED TRAVEL.** As determined in accordance with Section 74, on all jobs forty (40) miles or less from the Individual Employer's principal place of business, travel to and from the job site, unless within the regular workday, shall be on the employee's own time and expense, regardless of the actual distance traveled.

**SECTION 76. TRAVEL ALLOWANCES**

(a) Zones:

40 miles or less .....	Free Zone
41 to 50 miles .....	\$35.00 per day
51 to 60 miles .....	\$40.00 per day
61 to 80 miles .....	\$50.00 per day

(or any portion of a day worked on all jobs.)

(b) Travel allowances shall be included and shown as such on the employee's regular paycheck. No travel allowance will be paid pursuant to this section for any day on which subsistence is paid pursuant to Section 77.

(c) Employees traveling in the Employer's vehicles, or to whom Employer offers in writing the option of traveling in the Employer's vehicles, shall not be entitled to the travel allowances provided in this Section. Any employee traveling to and from the job at the beginning and end of the workday in an Employer-provided vehicle, or any employee who was provided such an option in writing, shall travel on his own time and shall not be entitled to the travel allowance provided in this Section.

(d) An employee required to transfer from one job location to another during the workday shall do so on the Employer's time.

## SECTION 77. SUBSISTENCE, TRAVEL TIME AND MILEAGE

(a) On all jobs eighty - one (81) miles or more from the Individual Employer's principal place of business or the employee's residence, whichever is closer to the job site, any employee who chooses to remain at the job site overnight shall receive a subsistence allowance for food, laundry and lodging equal to the amount for which receipts are provided, not to exceed one-hundred twenty-five dollars (\$125.00) per day and shall not receive any travel allowance except as provided below. If no receipts are provided for jobs which would otherwise qualify for a subsistence allowance, the employee shall be paid the travel allowance of seventy dollars (\$70.00) for each day of work in lieu of the subsistence allowance. Effective April 1, 2023, the foregoing amounts shall increase to one-hundred thirty dollars (\$130.00) and seventy-five dollars (\$75.00).

(b) Regardless of the distance actually traveled, on all jobs eighty-one (81) miles or more from the Individual Employer's principal place of business or the employee's residence, whichever is closer to the job site, as defined in Section 74, employees shall be entitled to travel time and mileage, once at the start and once at the conclusion of the job. Travel time and mileage allowances shall be computed without regard to the forty-one to fifty (41-50), fifty-one to sixty (51-60), and sixty-one to eighty (61-80) mile limits stated in Section 76.

(c) Travel time shall be computed by dividing the mileage from the Individual Employer's principal place of business or the employee's residence, whichever is closer to the job site by fifty (50) and multiplying the result by the employee's regular straight-time hourly wage rate.

(d) Travel Mileage shall be computed at the standard business mileage rate established by the IRS, per mile based on the mileage from the job site to Individual Employer's principal place of business or the Employee's residence whichever is closer to the job site. Employees traveling in Employer-provided

vehicles, or employees given such option in writing, shall not be entitled to a mileage allowance.

(e) Travel time and mileage shall be paid once at the beginning of the project and once at the completion of the project.