

SHIFT PROVISIONS

CRAFT/CLASSIFICATION

Sheet Metal Worker

ID

166-162-2

LOCALITY

Fresno, Kings, and Madera 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

FRESNO ONLY:

A) Employers signatory to SMWIA Local Union 162 Fresno, Madera, Tulare and Kings Counties Agreement may schedule shifts outside the regular working days as defined in Article VI, Section 1, of the Standard Form of Union Agreement, provided that such work shifts must be scheduled for three (3) or more consecutive working days. Pay for such shift work shall be on the basis of straight time pay plus 15% over scale for all hours worked.

B) All shift work of less than three (3) consecutive work days shall be considered overtime for the entire shift, and compensated for as set forth in Article VI of the Standard Form of Union Agreement. The local Union shall be notified and permission obtained prior to starting work on a shift basis.

C) In all cases where any employees are required or requested to work under the provisions of paragraphs (A) and (B) above when the employee has worked a regular work day shift prior to such request, there must be at least an eight (8) hours lapse of time between shifts in order for the provisions of the aforementioned clause to apply. Otherwise all such work will be considered overtime and will be paid as set forth in Section 1 and Section 2 of Article V of this Addendum.

Shift work may be instituted upon mutual agreement between the Employer and the Union not less than forty-eight (48) hours prior to starting of shift work. Shift work shall not be permitted on residential work. When a shift is declared on a specific job, it shall pertain to that job only, in and out of the shop. Employees must have a ten (10) hour rest period before starting a shift and no employee shall be allowed to work two shifts in a calendar day. All overtime performed after a regular shift, regardless of the shift, shall be at the prevailing overtime rate.