

DDR Number: 72-49162

Title: Operating Equipment Foreman - Construction (Intermittent)

- a. No. of Positions - 2
- b. Wage Rate - **\$54.54** per hour, **\$436.32** per day (**Eff. 7/1/21**).
- c. Other Payments - An additional payment of **\$28.60** per hour worked or for the number of hours for which pay is received, consisting of the following. (**Eff. 7/1/21**)
 - 1) \$11.85 payable to the Operating Engineers' Health and Welfare Fund. (Eff. 7/1/20)
 - 2) **\$13.15** payable to the Operating Engineers' Pension Trust. (**Eff. 7/1/21**)
 - 3) **\$3.60** payable to the Operating Engineers' Vacation-Holiday Fund. (**Eff. 7/1/21**)
- d. Overtime: Employees shall be compensated for each hour worked on holidays (or holiday equivalents), at a rate computed by multiplying the appropriate hourly rate by two (2); for each hour worked on Sundays, and in excess of four (4) hours overtime on a normal workday, and in excess of twelve (12) hours on a Saturday, at a rate computed by multiplying the appropriate hourly rate by two (2); and for each hour of all other overtime at a rate computed by multiplying the appropriate hourly rate by one and one-half (1½), except that when an employee is working overtime with other trades or crafts (working overtime) which receive a higher overtime rate multiple, the employee shall receive the same rate multiple as the highest paid to the other trade or craft. (Eff. 7/1/16)
- e. Holidays shall be as follows:

New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, day after Thanksgiving Day, Christmas Day, and the first Saturday following the first Friday in the months of June and December of each year. If any of the above holidays falls on Sunday, the Monday following shall be considered the holiday. (Eff. 7/1/88.)

Notwithstanding the provisions specified herein, employees performing work in a de-watering operation shall be paid at the rate of double time for work performed on Sundays and holidays (or holiday equivalents).

- f. Show-up: An employee who reports for work at the regular starting time and for whom no work is provided shall receive pay for two (2) hours at the stipulated rate for so reporting, unless he has been notified before the end of the last preceding shift not to report or has been notified prior to leaving home not to report.

An employee who reports for work at the regular starting time and who is put to work or is told to stand by shall receive not less than four (4) hours pay and if more than four (4) hours are worked in any one (1) day, shall receive not less than six (6) hours pay, and if more than six (6) hours are worked in any one (1) day, shall receive not less than eight (8) hours pay. (Eff. 7/1/16)

However, if after four (4) hours the project, or portion thereof, is shut down because of reasons beyond the control of the Department, including but not limited by such factors as inclement weather or completion of the project or portion thereof, during which time an employee is not required or requested to remain on the project, he shall receive pay for the actual hours worked.

On Saturday, Sunday and holiday work, these provisions shall also apply.

- g. Multiple Shift: When two (2) or three (3) shifts are worked, each shift shall work eight (8) consecutive hours, exclusive of meal periods, for which eight (8) hours straight time shall be paid Monday through Friday; however, when the day shift starts between the hours of 7:00 a.m. and 8:00 a.m., that shift shall work eight (8) consecutive hours, exclusive of meal periods, for which eight (8) hours straight time shall be paid Monday through Friday; the second shift shall work eight (8) consecutive hours, exclusive of meal periods, for which eight (8) hours shall be paid, Monday through Friday, at a rate computed by adding \$1.00 per hour to the straight-time hourly rate; and the third shift shall work six and one half (6.5) consecutive hours, exclusive of meal periods, for which eight (8) hours straight time shall be paid Monday through Friday. (Eff. 7/1/16)

When, in order to maximize the utilization of daylight hours, and only two (2) shifts are worked, each shift shall work seven and one-half (7½) consecutive hours exclusive of meal periods, for which eight (8) hours straight time shall be paid Monday through Friday.

Any time worked from Friday midnight to Sunday midnight or on holidays or in excess of the regular shift hours shall be paid for at the applicable overtime rate except that the Friday graveyard shift ending on Saturday morning will be considered Friday work; the Saturday graveyard shift ending on Sunday morning will be considered Saturday work; the Sunday graveyard shift ending on Monday morning will be considered Sunday work. Overtime rates shall be paid as applicable on the shift differential pay.

h. Subsistence:

1. In the subsistence area as hereafter defined in Exhibit A subject to the exceptions noted below, subsistence shall be paid at the rate of sixty dollars (\$60.00) per scheduled work day. There shall be no prorating of subsistence. Subsistence shall apply to employees who report to work and for whom no work is provided. If the Employer furnishes the employees a suitable room, the employee shall receive thirty dollars (\$30.00) per day subsistence allowance. (Eff. 7/1/19)

a. Effective July 1, 2019, the areas inside the boundaries of China Lake Naval Reserve, Vandenberg Air Force Base, Point Arguello, Seely Naval Base, Fort Irwin Army Base, Nebo Annex Marine Base, Marine Corp Logistics Base Yermo, Edwards Air Force Base and 29 Palms Marine Base, zone pay as hereinafter defined in Exhibit A shall apply for which the hourly rate of pay will be seven dollars and fifty cents (\$7.50) per hour above the regular rate and shall become the base rate for the entire shift.

b. Zone pay is hereafter established effective July 9, 2007, and defined as Exhibit B subject to the exceptions noted below, zone pay shall be paid at the rate of two dollars (\$2.00) per hour above the regular rate of pay and shall become the base rate for the entire shift. This zone pay area is located in the

northern portion of Exhibit B delineated by the color blue.

Those areas defined in Exhibit B by the color yellow shall be one dollar (\$1.00) per hour above the regular rate of pay and shall become the base rate for the entire shift.

2. An employee who is required to report to perform any work in a subsistence area, for any portion of the day or shift, shall receive the established subsistence rate for the entire day or shift.
3. Exception to the above requirements may be taken and no subsistence furnished or paid in the follow instances:
 - a. Where the work performed on the job or project is located entirely within the free zone designated in Exhibit A.
 - b. When the home of an employee is located within the subsistence area and within a thirty (30) mile radius of the center of the job or project, which is located in the subsistence area.
 - c. Where subsistence is applicable when the Department advises the employee that the project will be discontinued for a period of two (2) days, the employee shall be given the opportunity to return to his/her home and subsistence shall not be applicable for these days. If such notice is not given to the employee, subsistence shall be payable for the days that work is discontinued.
4. Subsistence shall be paid at the rate of sixty two dollars (\$62.00) per day in the counties of Inyo and Mono. If the Employer furnishes the employees a suitable room, the employee shall receive thirty two dollars (\$32.00) per day subsistence allowance in the counties of Inyo and Mono.
5. When the home of an employee is located within a fifty (50) mile radius of the center of a job or project in Inyo and Mono Counties, subsistence will not be applicable.

- i. Premium Payment: Plus payment equivalent to the Long Boom Premium and/or Multiple Drum Premium when applicable to operators under his supervision.

Premium pay shall be added to the regular rate and become the base rate for the entire shift.

- j. Meal Period: When an employee is required to work more than five (5) consecutive hours without being provided a half-hour meal period, they shall receive one-half ($\frac{1}{2}$) hour pay at the double-time rate.