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**2.08 Transfers without Change in Wage Scale to Locations Having Higher Wage Zones.**

When an employee is transferred in the same wage scale to a location having a higher wage zone at the time of transfer his/her rate of pay will be adjusted to the rate applicable to his/her wage length of service on his/her wage scale for the higher zone. Thereafter, he/she will follow the scale at the new location.

**ARTICLE 3****SCHEDULING AND ALTERNATIVE WORK ARRANGEMENTS****3.01 Work Schedules.**

- A. Work schedules for all employees will be posted officially by 11:00 A.M. on each Thursday to show for each such employee his/her scheduled or assigned tours for the next two calendar weeks.
- B. Work schedules will stipulate the starting and ending time of such tours, together with the starting and ending time of each session. Intervals between sessions will not be shifted, at the instance of the Company, except as necessary to meet needs of the business.
  - 1. Lunch or meal periods between sessions which are shifted by the Company will not be considered as a shift of tours under 3.02G.
  - 2. "B" above does not require the posting of starting and ending time of sessions for those tours that have no meal period.
- C. Where employees work common hours as a group, a statement which meets the requirements of 3.01B may be posted for the group as such.
- D. At locations where no management person is assigned to supervise the employee involved, a letter to such employee which meets the requirements of 3.01B may be addressed to him/her advising that until further notice he/she is to work

that schedule. At such locations, this will be considered as complying with 3.01A.

### **3.02 Scheduling Tours.**

- A. Insofar as needs of the business permit, the Company will assign tours in accordance with the preference of employees in the order of their seniority. Tours will be scheduled and assigned in accordance with 3.03.

It is not the intent of this article or any other provision in this Agreement to require the Company to revise a posted work schedule so as to assign an employee entering the work group the tours to which his/her seniority would otherwise entitle him/her.

- B. Tours may fall on any day of the week necessary to meet needs of the business, except that the tours and part tours which make up the normal work week may not be spread over more than six days of the calendar week.
  - 1. Scheduled time is comprised of tours and/or part tours and the scheduled time for any work day will not exceed the length of a normal tour.
  - 2. In the event it becomes necessary to schedule an employee to work more than five tours in a calendar week, the sixth and seventh day will be considered as premium days on the weekly work schedule.
- C. No employee will be scheduled to work more than thirteen consecutive days without his/her consent, except where acute service conditions develop caused by unanticipated service needs, fire, flood, storm or other natural disaster.
- D. Insofar as needs of the business will permit, a minimum time interval of twelve hours will elapse between the scheduled ending time of one tour and the scheduled starting time of the next, except when a tour is assigned to an employee with less than the minimum interval between tours because of that employee exercising his/her seniority for the choice of tours.

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- E. Part tours may be scheduled for full-time employees; however, the Company recognizes the undesirability of scheduling such part tours for full-time employees.
  - F. Employees will be either scheduled and excused or scheduled to work on authorized holidays.
    - 1. Insofar as needs of the business permit, employees will be excused on authorized holidays.
  - G. Changes from officially posted weekly work schedules may be made, provided such changes do not result in a full-time employee being scheduled for less than a normal week and further provided such changes do not result in the payment by the Company of additional overtime, premium or penalty hours during the week involved, to provide for changes in hours, work days, or off days in accordance with the following:
    - 1. At the instance of the Company.
    - 2. At the written request of employees.
      - a. Such requested changes will be made when no replacement of the employee's schedule is required and when the services of the employee making the request may be profitably used during the hours to which he/she wishes to change.
      - b. When a replacement of the employee's schedule is required the change will be made provided an agreeable shift can be made in the schedule of another employee and provided such other employee agrees to work the shifted tour at the regular rate.
      - c. If the Company contacts an employee in connection with a shift of his/her tour and the employee agrees to the shift, the shift will not be considered to be made at the request of the employee.
      - d. Employees who are normally scheduled for tours ending after 7:00 P.M. will be scheduled for day tours (comparable to day tours worked by other employees in the work group) with starting times as near as

possible to the court convening time, (or their schedule changed to such day tours) on the days they are to serve as jurors or witnesses. This will not be considered a shift of tours under 4.01E.

**3.03 Assignment of Tours.**

- A. For all forces the following principles and general procedures for the selection of tours will govern with the following exceptions:
  - 1. In work groups of three or less employees the Company is not required to post the list described in Paragraphs B2a and B2b following.
  - 2. An employee assigned to a work group to relieve an absent employee will work the tour assigned to the absent employee.
- B. In conformity with Article 13, the following procedures will be followed in the assigning of tours:
  - 1. Employees will have the privilege of exercising seniority in preference for choice of tours in accordance with their seniority dates posted on the seniority list and the Company will assign tours as chosen insofar as needs of the business will permit.
  - 2. At least 3 weeks prior to the specified effective date of a new basic week day schedule (Monday through Friday or Monday through Saturday, as appropriate) or in the reassignment of an existing basic schedule, the Company will concurrently post:
    - a. A copy of the schedule (or a notice) indicating the starting and ending time of tours, together with the starting and ending time of each session and the number of each group of tours.

**Example:**

<b>Schedule Tours</b>	<b>Number of Employees</b>
8:00 A.M. to 12:00 Noon- 12:30 P.M. to 4:00 P.M.	6
8:15 A.M. to 12:15 P.M.- 1:00 P.M. to 4:30 P.M.	4
3:00 P.M. to 7:00 P.M.- 8:00 P.M. to 11:00 P.M.	3

This posting will also show the effective date of the new schedule and the date (not earlier than three working days following the date of posting) on which the Company will begin contacting employees as provided under "3" below.

- (1) Employees will be advised of their new schedule 6 working days prior to the effective date of the new schedule.
- b. A list for each work group indicating the seniority date of each employee as of the effective date of the new schedule. For employees who will have their service bridged in accordance with **1.31** prior to or on the effective date of the new schedule, the seniority date to be indicated will be the new seniority date arrived at by such bridging of seniority. No change will be made in the seniority date shown on the list for an employee after his/her new seniority date has been passed in the assignment of tours. For the purpose of this section, employees temporarily assigned to a different work group in the same location will be considered as members of their regular group.

Employees with "Acting" titles in work groups other than those in which they regularly work will be included on the seniority list for the work group in which the "Acting" title is held, unless it is expected that the employees will return to their regular work

group on or before the effective date of the new schedule.

- c. Where it is known prior to contacting for choice of tours that employees are to enter the work group under the provisions of Article 7 on or after the effective date of the new schedule, such employees will be listed on the seniority list referred to in "b" above and contacted for choice of tours under the provisions of "3" below.
3. The Company will make a reasonable effort to contact employees on the seniority list in the order listed for the purpose of obtaining preferences for choice of tours, except for the following: employees on vacation; employees absent from the location of their residence; and employees on leave of absence. Since such contacts, and the assignment to basic tours will be made in the order of seniority in accordance with the list referred to in 2b above, the time consumed in attempting to contact each employee will be necessarily limited. Accordingly, it is contemplated that employees will express in advance assignments they prefer if they will not be readily available for such contact. Changes will not be made in any assignment after an assignment is made to the next person on the list.
    - a. Employees on vacation, employees on leave of absence who are expected to return on or before the effective date of schedule, employees absent from the location of their residence, and employees whom the Company was unsuccessful in its efforts to contact, unless they have expressed in advance a preference for a different available tour, will be given assignments identical with their present assignments, if available. Employees who have not expressed a preference for an available tour, and for whom an identical assignment is not available, will be assigned a tour of the same general type with the nearest ending time to the ending time of their present assignment, or if a tour of the same general type is not available then a tour of a different type with the

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nearest ending time to the ending time of their present assignment.

- b. Employees on leave of absence who are expected to return on or before the effective date of the schedule who did not work during the present schedule and have not expressed a preference for choice of an available assignment on the new schedule, will be assigned any available tour.
4. Employees on leave of absence who were not expected to return before the effective date of the schedule, but who do return before such date but after one or more employees with less seniority have been assigned will be placed on the seniority list described in "B2b" above immediately following the last employee who was assigned and will have the next preference for choice of the available assignments.
5. Employees reporting into the work group for duty by transfer, engagement, re-engagement, etc. after one or more employees with less seniority have been assigned will be placed on the seniority list described in "B2b" above immediately following the last employee who was assigned and will have the next preference for choice of the available assignments.

Where it becomes known during the contacting for choice of tours that employees are to enter the work group under the provisions of Article 7 on or after the effective date of the new schedule, such employees will be placed on the seniority list described in "B2b" above immediately following the last employee who was assigned and will have the next preference for the choice of the available assignments.

6. Employees who enter the work group or who return to work (except those returning from vacation or benefits) after all employees on the seniority list have been assigned, will have no seniority for preference in choice of assignments on this schedule. However, employees

(except those re-entering by transfer or re-engagement) who have been given an assignment on the new schedule who return to the work group during the period the schedule is in effect will continue on such assignments for the duration of the schedule.

- a. Where employees enter the work group under the provisions of Article 7 after all assignments have been made, such employees will exercise full seniority for choice of tours on separate schedules.
  - b. Employees mentioned in "6" above, who are considered as having no seniority for choice of assignments, will have no seniority for this purpose; but, where there are two or more such employees in the work group, they will be afforded an opportunity to exercise seniority among themselves in preference for choice of assignments on the weekly work schedule.
7. Employees having their service bridged after the effective date of the new schedule, thus entitling them to additional seniority, will have the opportunity to express preference for choice of tours at the next time all employees within the group have an opportunity to express this preference. Until that time the old service date will determine seniority for choice of tours.
  8. Notwithstanding any other provisions of this Article and 13.03, employees entering or returning to the work group who have not been given work assignments in the current weekly work schedule, may be assigned any available tours until the assignments on the next posted weekly work schedule are effective.

### **3.04 Relief Periods.**

- A. All employees will be assigned or allowed one fifteen-minute relief period during each session worked. Such relief periods will be assigned or allowed as near the mid-point of the session as feasible or practicable, but in no event will they be assigned to start less than one hour from the beginning or end of each session unless a service emergency develops.

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- B. In cases of overtime connecting work, as defined in 1.06, when an employee requests time off for a relief or meal period such request will be granted, without pay, if practicable in view of the nature or expected duration of the overtime work.

### **3.05 Alternative Work Arrangements.**

#### **A. Four-Day Work Week, Flexible-Time Scheduling, Telecommuting and Job Sharing**

1. The Company and the Union recognize that today's competitive pressures require more alternatives in the work place. Four-Day Work Week, Flexible-Time Scheduling, Telecommuting and Job Sharing are alternative work arrangements that provide opportunities to balance work and family and to satisfy the needs of both the employee and the employer. Accordingly, the parties have agreed to offer the above alternative work arrangements. Using the guidelines established at the Executive Level, the Local Level (i.e., Local President and Director/Regional Sales Manager) may develop and agree to the alternative work arrangement. This local agreement must be concurred in by the Company and the Union at the Executive Level.

2. Eligibility

The alternative work arrangements may be applied to regular or temporary employees. It is recognized that these arrangements may not be applicable for all work groups. Where utilized, the arrangement(s) will normally be offered to all eligible employees in the work group or administrative work unit which for the purpose of these arrangements is defined as one or more supervisory groups of employees in the same title and department who have a common place of reporting and who perform essentially the same type of work. However, there may be situations justifying departure from this rule.

- a. Four-Day Work Week

- (1) In certain administrative work units or work groups, a normal work week may be established

over a 4 day period. The number of hours which presently constitute a normal five day work week schedule will be scheduled in equal amounts over four consecutive days unless agreed to otherwise at the Local Level and subsequently approved at the Executive Level.

- (2) No daily overtime payment will be made for any of the hours worked which constitute the normal work week even though scheduled over four days. No differential payments for evening and night work will be made unless some or all of the hours which would otherwise constitute a normal work day if scheduled over five days fall within the period of time for which such differential is paid in which event differential payments will be made in accordance with the agreement.

b. Flexible-Time Scheduling

- (1) Flexible-time scheduling will consist of fixed “core” hours with varying beginning and/or ending times as deemed appropriate. Such scheduling will be subject to the scheduling provisions of this Article except the beginning and/or ending times may vary according to individual needs.
- (2) No differential payments for evening and night work will be made unless some or all of the hours, which would otherwise constitute a normal work day without the use of flexible-time scheduling, fall within the period of time for which such differential is paid.

c. Telecommuting

An alternative work arrangement that may not require that a particular job function be done totally at a specific job site.

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d. Job Sharing

An alternative work arrangement where two or more employees share the responsibility for a designated position.

**ARTICLE 4**  
**PAY AND BASIS OF COMPENSATION**

**4.01 Pay for Work on a Week Day (Other than an Authorized Holiday).**

- A. Employees working on a week day will be paid at the regular rate for all scheduled time worked except as otherwise provided in this section.
- B. Employees working on a week day will be paid at the overtime rate for all non-scheduled time worked and for scheduled time worked under the provisions of 3.02B2 except as otherwise provided in "D" below.
- C. Scheduled time worked on a week day which is in excess of 37 ½ hours during the calendar week as referred to in "1" below will be paid at the overtime rate except as otherwise provided in "D" below. (Also see 3.02B2).
  - 1. All time on week days, Sundays, holidays, optional holidays, and vacations, except for time coded for suspension, unpaid home condition, or excused time will be included in the 37 ½ hours when computing weekly overtime due.
- D. Notwithstanding any other provisions of this section, employees will be paid at the double time rate for all time worked in excess of forty-nine hours of work time in a calendar week. In computing these hours, only time actually worked will be counted, except that excused time on an observed holiday which is considered as time worked under "C" above will also be counted in computing the hours of work time.