

**SIDE LETTER AGREEMENT TO THE 2023-2026 CRAFT AND PLANT ENGINEER
UNIT MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF
ORANGE AND THE INTERNATIONAL UNION OF OPERATING ENGINEERS,
LOCAL 501, AFL-CIO**

This document shall serve as a Side Letter Agreement modifying the 2023-2026 Craft and Plant Engineer Unit Memorandum of Understanding ("MOU") between the County of Orange ("County") and the International Union of Operating Engineers, Local 501 ("IUOE"). This Side Letter shall be effective beginning with the first full pay period after it is adopted by the County's Board of Supervisors.

Article II, Section 5. Premium Pay

A. Night Shift Differential

For purposes of this Section, night shift shall mean an assigned work shift (e.g., regular shift, overtime shift, or additional shift) of seven (7) consecutive hours or more, which includes at least four (4) hours of work between the hours of 4 p.m. and 8 a.m. Overtime which is worked as an extension of an assigned day shift shall not qualify an employee for night shift differential. The rate of night shift differential shall be five and one-half (5 1/2) percent of the employee's basic hourly rate.

B. On-Call Pay

1. When an employee is assigned on-call duty by the County, the employee shall be informed in writing, in advance whenever practicable, of the dates and inclusive hours of such assignment; the employee shall be compensated at one-fourth (1/4) of his or her basic hourly rate for the entire period of such assignment.
2. On-call duty requires the employee so assigned: (1) to be reachable by telephone or other communications device, and (2) be able to report to work in a reasonable time fully able to perform the assigned duties.

C. Call-Back Pay

1. When an employee returns to work because of a department request made after the employee has completed his or her normal work shift and left the work station, the employee shall be credited with four (4) hours work plus any hours of work in excess of four (4) hours in which the employee is continuously engaged in work for which he or she was called back, beginning at the time the employee reports to the work site and ending at the time the employee leaves the work site. An employee shall report his or her arrival at the work site to the appropriate facility and shall

report the completion of the job to the appropriate facility prior to his or her departure from the work site.

2. Call-back shall be paid at one and one-half (1 -1/2) times the regular rate.
3. There shall not be any duplication or pyramiding of rates paid under this Section.
4. An employee credited with four (4) hours pursuant to this Section may be assigned other work appropriate for employee's position classification until the guaranteed time has elapsed.
5. An employee may not be paid Call-Back Pay simultaneously with On-Call Pay. If an employee is called back to work during the employee's On-Call assignment, the employee shall receive Call-Back Pay in accordance with Section 5.C. The employee's On-Call Pay shall be suspended until the employee is no longer receiving Call-Back Pay. The employee's On-Call Pay shall resume once the employee is no longer receiving Call-Back Pay given the employee's On-Call assignment has not been exhausted.

D. Elevated Work Pay

Employees who work upon scaffolds or hanging platforms, at or above twenty (20) feet above grade (i.e., swing stages and bosun's chairs) including work upon a platform while rigging, shall receive an elevated work pay differential. The differential will be paid only for those hours actually worked under these conditions provided that there shall be a minimum payment of four (4) hours for any day in which qualifying work is performed. Travel time shall not be considered qualifying for this differential. The rate of elevated work pay differential shall be five percent (5%) of the employee's basic hourly rate.

E. Water Craft Differential Pay

Employees in positions in the classes of Painter and Carpenter regularly assigned to work on County watercraft, shall receive a differential of fifty cents (\$0.50) per hour for each hour actually worked.

F. Relief Operator Pay

An employee assigned as Relief Operator shall receive an additional one dollar (\$1.00) per hour for each hour actually worked.

G. Jail Supplemental Pay

1. Except as provided below, an employee who is regularly assigned to the Central Jail, Theo Lacy Branch Jail or James Musick Facility shall be paid

an additional one-dollar and fifty-cents (\$1.50) per hour for all hours actually paid.

2. Jail Supplement Pay shall not apply to Workers' Compensation pay or be used as a base rate for overtime, other premium pay, etc.

H. Plant Pay

An employee in the class of Air Conditioning Mechanic or Electrician assigned to the Central Utility Facility shall receive an additional two dollars (\$2.00) per hour for each hour actually worked.

I. Confined Spaces Pay

Employees will be paid one-dollar (\$1.00) per hour for all hours worked in a permit-required confined space as defined consistent with California Code of Regulations Title 8, General Industrial Safety Orders, Article 108, Section 5157. Time taken at the confined space worksite wearing safety gear in preparation for entering a permit-required confined space shall count as time spent actually working in confined spaces. Time worked will be calculated to the nearest quarter (1/4) hour.

J. Backflow Testing Certificate Pay

Plumbers who maintain a valid Backflow Testing Certificate and who are willing to perform the related work will be paid one hundred dollars (\$100.00) per month (approximately forty-six dollars and fifteen cents [\$46.15] per pay period).

K. Underground Tank Certification Pay

Electricians employed in the Sheriff's Department who maintain a valid California Underground Storage Tank System Operator Certificate and who are willing to perform the related work shall be paid one hundred dollars (\$100.00) per month (approximately forty-six dollars and fifteen cents [\$46.15] per pay period)

L. Reopener

Review the premium pays for classifications assigned to the OCPW/CUF Plant and Sheriff/Harbor for potential updates and changes. The review shall commence its work within 120 days of adoption of the 2023 MOU. Human Resource Services will strive to complete the review no later than 180 days after commencement of the review.

M. Electrician Certification Pay

Employees in the classification of Electrician who possess and maintain an Electrician Certification issued by the State of California shall receive an additional two dollars (\$2.00) per hour for all hours worked.

All other terms and conditions contained in the 2023-2026 Craft and Plant Engineer Unit MOU executed between the County and IUOE not specifically amended by this Side Letter Agreement shall remain unchanged and be unaffected by this Side Letter Agreement.

FOR IUOE, LOCAL 501:

Deric Barnes
Director of Public Employees

Date

Reisee Salamero
Business Representative

Date

FOR THE COUNTY OF ORANGE:

Colette Farnes
Chief Human Resources Officer

 Jamie Newton Date
 Director, Employee & Labor Relations

Susie Baker
Classification & Compensation Manager

Madai Chavez
Human Resources Manager, OCPW

Board of Supervisors Approval Date