

Revised 01-15-04

The Company-Union Negotiating Committee meets periodically to review overtime questions which have been raised concerning implementation of the 1999 Plant-wide Overtime Agreement and to jointly agree upon the proper handling of each issue. Following are answers to some overtime questions which have arisen since implementation of the new Overtime Agreement. The list will be revised and republished for your guidance as new issues are addressed.

### OVERTIME QUESTIONS

Q: If an employee was wrongly bypassed for Sunday overtime and the Shop Steward did not notify the Supervisor ahead of time, we offer the next available overtime. What if the next available overtime happens to be a Saturday and not a Sunday?

A: The employee would be offered the Saturday. In accordance with the overtime policy, the employee is offered the next available overtime whatever it might be. The employee would continue to be offered the next overtime as long as he/she is low on the list.

Q: There is an area which works a lot of in-week overtime and the department has a hard time getting people to work. When offering four (4) hours of in-week overtime some people will say they can't or won't work four hours but will work two or three. The department needs those people to work. Do we charge them for all four hours offered and let them work the two hours?

A: Yes, the employee would be charged for the four hours that was offered even though he/she may only work two hours.

Q: In the Fire Department, at the end of a shift if someone calls in sick, they have to hold someone over. Do they go down the overtime list from low to high hours and if they get no one then draft the low senior or draft the low hour man?

A: Yes, you would go down the list from low to high hours asking employees if they would like to work. After you have gone through the entire list and have an insufficient number of employees to work, you would then draft the low senior employee. It is preferable to maintain a separate list of employees by seniority for use when drafting. Employees should be drafted in seniority order on a rotating basis each time a draft is required by going from least senior to most senior with each successive draft so that the least senior is not forced each time.

Q: What about Leads working overtime. Some Shop Stewards and Management think leads should be separate from the classification. They want to be able to bring a Lead in on overtime when they need the Lead whether he is low or not. They contend that Lead is not a classification and thus Leads should not be on the same overtime list as everyone else.

A: Leads are to be maintained on the same overtime list as the other employees in their classification.

Q: What if we offer Saturday and Sunday overtime on Thursday and the bottom three employees have 60, 61 and 62 hours of overtime. We offer the 28 hours of overtime to the man with 60 hours and post 12 hours on Saturday and 16 hours on Sunday. If we have 4 hours of overtime come up on Thursday evening do we offer it to the next lowest man, i.e. the man with 61 hours, or do we have to ask the one who had 60 hours since he has not worked the Saturday and Sunday overtime yet?

A: You would offer the 4 hours of overtime on Thursday evening to the person with the next lowest amount of hours, i.e. 61 hours.

Q: What if we ask for overtime on Saturday and Sunday and an employee says he can't work Sunday, but

can work Saturday?

A: The employee would be allowed to work the Saturday overtime but would be charged the appropriate number of hours for both Saturday and Sunday.

Q: What about consideration for working people with special skills and qualifications? Does the 50 hour still apply if you need a special skill?

A: Yes, the 50 hour spread still applies. We need to cross train people so we do not violate the 50 hour margin.

Q: When we offer weekend overtime on Saturday and Sunday, if an employee turns it down are they charged for both days?

A: Yes, employees will be charged for all offered work, either as "worked" or "refused." Employees that work only one of the two offered days would be charged paid hours worked for the day they worked and paid hours refused for the day they refused. For example, an employee offered Saturday and Sunday that could work 8 hours Saturday but refused 8 hours Sunday would be charged W/12 on Saturday and R/16 on Sunday.

Q: If an employee has accepted weekend overtime on Thursday and is absent a partial day (not vacation E4) on Friday, are they still eligible to work on the weekend?

A: Yes, as long as the employee works some time on the Friday they should not be replaced for the weekend overtime and should be allowed to work. If an employee leaving work on Friday says he cannot be in on the weekend, he may be replaced and should be charged for refused hours if he is leaving before lunch, or double charged hours if leaving after lunch on Friday.

Q: On Call-ins, page 4 number 7, on the Overtime Agreement, it says hours worked, not hours paid. Is the employee charged hours paid or hours worked?

A: All charges are "Paid" hours. An employee called in for 4 hours on Saturday would be charged 6 hours.

Q: If an employee accepts weekend overtime on Thursday and then either changes his mind on Friday or is absent on Friday and calls in to report his/her absence and notifies management that he/she will not work on Saturday, is he/she charged double?

A: Employees who change their mind and refuse previously accepted overtime before lunch (normally scheduled lunch on their shift) on Friday will be single charged, as refused overtime. Employees that change their mind and decline overtime after lunch should be double charged.

Q: If after asking all the employees in the classification to work week-end (Saturday and Sunday) overtime, management still needs people to work (and there is no other department or shift from which to borrow people, what option does management have to get people to work overtime?

A: The least senior employee in the work group may be drafted. Drafting may be rotated among the work group if it becomes a regular necessity.

Q: How should we charge overtime worked by employees while they are on Field duty?

A: Employees on Field duty should be charged as if they had refused the work they would have been offered if they had remained within their home overtime group. Any overtime hours worked while on Field Duty will not be charged to the employee upon return to their home group.

Q: Does the before/after lunch rule for single/double charging an employee for accepting and later

refusing weekend overtime also apply to in-week overtime accepted and later refused?

A: The rule for in-week overtime is that employees who accept the overtime and later refuse are charged with a refusal (single charge) unless the refusal is within the last hour and one-half of the shift. If the employee waits until the last hour and one-half of the shift to notify management that they now wish to refuse, the overtime is double charged.

Q: One of the departments in the plant has day and swing shift on the same overtime list. There is a difference of 84 hours between the high and low employee. Other than weekend overtime, employees on day shift are frequently asked to work overtime to replace a swing shift employee in that classification who is absent on a given day. Day shift can survive with an absence or two without replacing the employee, but swing cannot, therefore day shift employees are asked to work more often and their hours are greater.

A: Overtime lists must be classification by Supervisor or by classification Department for each shift. Different shifts may not be on the same overtime list.

Q: If an employee is working on Saturday and it is determined that Sunday overtime is needed, is the employee charged with a refusal if they elect not to work the Sunday?

A: The employee is charged with the refusal.

Q: In a department where they have a lot of Call-In/Call-Back overtime, at what time do you stop calling day shift and start calling swing shift?

A: After 2:00 p.m. you should use the swing shift overtime list when calling employees in to work.

Q: An employee goes out for an approved late lunch and while he is out, a need for in-week overtime arises for that day. How long should management delay asking for the overtime waiting for that employee to return?

A: If overtime arises and is asked while an employee is not here, he/she is charged for the overtime. This would apply to Late Lunches, Sick Leave or Vacation, both full and partial day. We should, however, assure that no one in management uses this to play games by deliberately waiting for someone to leave to ask for overtime or deliberately asking earlier than usual just to avoid asking a particular person.

Q: Should we add hours to an employee's overtime total as a result of a grievance settlement where overtime was the issue? What about monies paid on a grievance for other issues like employees grieving subcontractors performing work in-plant?

A: Any time monies are paid as a result of an overtime grievance, the appropriate number of overtime hours must be added to the employees overtime balance on the overtime list.

Q: On Holidays do we ask for overtime for the entire period or ask for each individual day?

A: If a Holiday(s) join(s) a weekend, the holiday(s) should be asked individually and the weekend should be asked as normal, i.e. if on the weekend you are working both Saturday and Sunday, then the appropriate employee should be offered both days.

Example #1. Monday, July 5, 1999 is a holiday. If management will be offering overtime for Saturday, July 3rd, Sunday, July 4th and Monday, July 5th the overtime should be asked as follows: Ask the low hours employees to work the Saturday and Sunday. When the weekend requirements have been fulfilled, then the next low hour employee should be offered the Holiday.

Example #2. Thanksgiving holidays for 1999 are Thursday, November 25th and Friday, November 26th. If management has a requirement for overtime for Thursday, Friday, Saturday and Sunday, the overtime

should be offered as follows: Offer the low hours employees the Thursday until that requirement is filled; offer the next low hours employees the Friday until that requirement is filled; then offer the next low hours employees the Saturday and Sunday, i.e. both days, until that requirement is filled.

Q: When an employee is changing departments through surplus, promotion, or other reason, the change of status to the new department will be effective on Saturday. Which overtime list will the employee be considered to be on for the first weekend?

A: The employee is eligible to work overtime in the releasing department.

Q: There is an employee who has medical limitations which preclude him/her from performing the normal duties of the job and management has made job accommodations by allowing the employee to perform a job function which he/she can perform within his/her limitations. How should the employees be treated when overtime arises in their classifications, which they can't perform due to their medical limitations? (Note- the employee has been assigned a job during the week which involves paperwork and ground level work which the employee can perform within his/her limitations. The work which is to be performed on overtime is in the employee's classification and requires climbing on the aircraft and performing tasks which would violate his/her limitations.)

A: The employee would be bypassed and charged for the offered overtime. However, if the same work management has been assigning them to do in-week, to accommodate their limitations, is available on overtime then they would be eligible to work that overtime.

Q: On Thursday a need arises for four hours of in-week overtime for that evening. The low hours employee refuses the overtime as does the next low hour employee. The third employee who is asked, accepts the overtime. The first two employees are charged with a refusal for six (6) hours and the employee who accepts is charged with working six (6) hours. After asking and filling that requirement, another need arises, this time for eight (8) hours of in-week overtime also on Thursday after the shift. The first employee who had been asked to work the four hours and who had refused and was charged six (6) hours is still low on the list. That employee is then asked to work the eight (8) hours and accepts it. He is charged for fourteen (14) hours for the overtime he accepts. Is it fair that he is also charged with the first six (6) hours that he refused since it is for the same time period he is now working and is being charged? He is effectively being charged twice for the same time period?

A: The employee should be charged only for the highest number of paid hours for which he/she is asked when a situation such as this arises and employee is asked for two different amounts of overtime for an overlapping period of time. Therefore, this employee should be charged for fourteen (14) hours for the accepted overtime, but not the six (6) hours of refused overtime.

Q: A salaried employee is declared surplus and receives a change of status placing him/her back hourly effective Saturday. If overtime is being worked on that Saturday is the former salaried employee eligible to work that overtime?

A: No, the employee was not hourly when the overtime was asked and therefore is not eligible to work the weekend overtime.

Q: When calling employees in for "call-in" overtime the supervisor makes a mistake when totaling hours and selecting the correct (low hour) employee for the overtime. How should the situation be handled to correct the mistake, i.e. should the injured employee be paid, or allowed to work the next available overtime? Since this was call-in overtime the Shop Steward was not available to catch the mistake and forewarn management.

A: If a mistake was made, the employee should be paid. When a need arises to call employees in at a time when the Shop Steward, Committeeman or designee is not available, the Supervisor should double check his/her list and/or have someone else review to assure the proper employee is called in.

Q: A swing shift employee is scheduled to work "off shift" on Saturday on day shift for eight (8) hours. The employee did not report for work on Saturday because he/she was ill. How many hours should the employee be charged?

A: The employee will be charged double for the amount of hours he/she would have been paid had he/she worked the overtime. Therefore, provided the employee had worked eight hours on Friday, he/she would be paid fourteen (14) hours for working eight (8) on Saturday. Since day shift Saturday falls within the employee's swing shift twenty-four hour cycle, the first four (4) hours on day shift Saturday would be paid at time and one-half for a total of six (6) paid hours and the last four (4) hours would be paid at double time since it is hours over twelve (12) in the employee's work day (twenty-four hour cycle). Therefore, the total paid hours is fourteen (14).

Q: A swing shift employee is called in a couple of hours prior to the start of the swing shift on Saturday. They only work less than half an hour, but are paid four (4) hours at straight time. How should that time be charged, i.e. on Friday or Saturday or some on each day?

A: The employee will be charged for the four (4) hours which they are paid. The time should be recorded on the overtime list as Saturday overtime since the work was performed on Saturday, even though the time falls within the employee's Friday twenty-four hour time cycle.

Q: We have a department where there were previously two supervisors, each with an overtime group reporting to them. Due to downsizing, now there is only one Supervisor who will be over both of the groups. How should the two groups be combined to form the new overtime group?

A: The two previous overtime lists should be combined by first putting all employees on one list and bringing their prior overtime hours over to the single list the same as they were on the old list. Then the overtime hours should be "Zeroed" by taking the employee with the lowest amount of hours and subtracting their total amount of hours from each person in the new overtime group. If, after this is accomplished, there are employees who have the same number of overtime hours, those employees should be arranged in order of seniority giving first preference to the most senior employee.

Q: We have a department where there was previously one supervisor who had two overtime groups reporting to him. Due to reorganization, one of the groups was split off from the supervisor and now there are two supervisors, each with one of the overtime groups reporting to them. How should the overtime be handled now that the groups report to two different supervisors?

A: The two prior overtime groups should remain as they were structured before the reorganization. All employees will remain on the same list they were on prior to the reorganization and will retain the same hours. The only change will be that each of the overtime groups will report to a Supervisor rather than both reporting to one Supervisor as they did before the reorganization.

Q: When an employee works one (1) hour of overtime in-week they are paid 1.5 hours. How much time is charged on the overtime list? 1 hr., 1.5 hr. or 2 hrs.? The question is do you round?

A: Overtime hours should not be rounded. The employee is charged with the number of paid hours offered. In the above case the employee would be charged with 1.5 hours.

Q: An employee was loaned to another department or overtime group, but not for the purpose of working overtime. Since he/she was not loaned for the purpose of working overtime, it was not required that the low hours person be loaned. In this instance, the employee who was loaned was not low on the overtime list. Later in the day it was decided that overtime must be worked in that area. Can the loaned person work the overtime or must he/she be sent back to their normal work group and the low hours employee be sent to work the overtime?

A: The loaned employee can work the overtime provided he/she works on the job they were loaned to perform and provided they are eligible in accordance with the "Loan" provision of the Plant-Wide Overtime

Agreement.

Q: If an employee is absent on Friday are they still eligible for Call-In overtime which might occur on the weekend?

A: The absent employee would only be eligible for Call-In overtime after all employees who were present on Friday have been given an opportunity to work in accordance with their respective position on the overtime list.

Q: If an employee is either temporarily promoted to a higher classification or is working lateral or down for a temporary period, how should they be treated with respect to being allowed to work overtime? What is their overtime group for purposes of working current overtime? How should their overtime hours be charged?

A: The employee is eligible for overtime in the overtime group to which he/she is temporarily assigned. However, if overtime is required in the employee's normal overtime group and he/she is not working overtime in the group to which temporarily assigned, he/she may work overtime in the normal group once all contractually required efforts have been exhausted to fill those requirements. (See Paragraph 4 on Pages 222 and 223 of the Company-Union Agreement).

Q: An employee temporarily promoted or working lateral or down should be treated like a loaned employee, i.e. should be given the average hours of the group when being considered for overtime, and should carry any overtime hours worked back to their regular overtime group when they return to their normal classification.

An employee is loaned to another department and works a lot of overtime while in that department. The weekend he/she is to return to the home department, that department is scheduled to work overtime and would like that employee to work. If all employees in the department have been asked to work overtime, can the employee who had been on loan be asked to work overtime also, even if he/she has an overtime total which is more than 50 hours greater than the employee with the lowest overtime hours.

A: First, the returning employee is eligible to work overtime that weekend in the department to which he/she has been on loan provided he/she is asked in accordance with his/her position on the overtime list for that group. If, however, the employee is not offered overtime in the department to which he/she has been loaned, the employee may be asked to work overtime in his/her normal group in the home department on that weekend provided all contractually required efforts have been exhausted to fill the overtime requirements. (See paragraph 4 on Pages 222 and 223 of the Company-Union Agreement). The fact that the returning employee is more than 50 hours higher than another employee would not keep that employee from being allowed to work overtime provided all other employees with rights to the overtime had been given an opportunity to work.

Q: An employee works Saturday and Sunday on a Holiday weekend when Monday is the Holiday. If it not determined until Sunday evening that overtime will also be required for the Monday Holiday, would you first ask employees who had worked Saturday and Sunday to work the Holiday since they were here, or should you call someone else in for the Monday Holiday?

A: You should not ask the employees who had worked the Saturday and Sunday, but should ask the next low hours employee on the overtime list.

Q: An employee takes either four (4) hours of sick leave or four (4) hours of vacation during the week and then works four (4) hours that day. The employee is then asked to work four (4) hours overtime on that day. What is the employee charged if he/she refuses? What is he/she charged if he/she works the four (4) hours?

A: The employee would be charged four (4) hours for either refusing or working that time since it will only be paid at the straight time rate.

Q: Flight Line Mechanics have been working "unlimited" overtime. Management goes through the Swing Shift overtime list on Thursday asking for weekend overtime. After asking everyone to work, they still need two (2) more employees to work the weekend overtime. One Swing Shift employee was out on Thursday when the weekend overtime was asked. If that employee is at work on Friday, can he be asked for the overtime or should management go to other shifts first and then ask the employee who was absent on Thursday, if they still need additional people?

A: If there is truly unlimited overtime being worked and everyone is being asked to work, then it is acceptable to ask the swing shift employee on Friday after he/she was absent on Thursday. (Note - the swing shift employee should still be charged with the refusal on Thursday).

Q: Management asked for weekend overtime on Thursday and one employee was absent when the overtime was asked. Then the situation changes and no one works the overtime on the weekend. Would you still charge the absent employee for the hours he/she would have been asked?

A: No, you would not charge the employee.

Q: Management in a department asks all employees on day shift in one classification to work overtime on Saturday. They do not get enough volunteers and need one additional employee to work Saturday on day shift. There is only one employee in that classification in the department on swing shift. That employee has been asked to work overtime on swing shift Saturday. Is management obligated to also ask the swing shift employee to work day shift Saturday? If they do, the swing shift employee would be working a double shift on Saturday.

A: No, Management is not obligated to also ask the swing shift employee to work the day shift overtime on Saturday.

Q: In the Fire Department, for Firemen on shifts 1 - 4, is there any application of the Saturday/Sunday rule (offering both days together if both days are needed) to any of their off days?

A: No

Q: In the Fire Department, is there any situation where job continuity would cause anyone other than the low man to be offered the overtime?

A: This would have to be considered on a case by case basis.

Q: Most overtime work in the Fire Department has been Call-In. Under "Distribution - para. 7" Call-In work refused is not chargeable causing a wide disparity in hours (75 vs. 269 on shift 1). Are there any circumstances where Call-in overtime refused should be charged?

Q: The 1999 Christmas Break Holidays are as follow: How should overtime be asked during that period if overtime will be needed during the entire time?

Friday, December 24, 1999 - Christmas Eve

Monday, December 27, 1999 - Christmas Holiday

Tuesday, December 28, 1999 - Christmas Holiday

Wednesday, December 29, 1999 - Christmas Holiday

Thursday, December 30, 1999 - Christmas Holiday

Friday, December 31, 1999 - Christmas Holiday

Monday, January 3, 1999 - New Year's Holiday

A: Overtime should be asked as follows:

(1) Friday, December 24, 1999

(2) Saturday and Sunday, December 25th and 26th

(3) Monday, December 27, 1999

(4) Tuesday, December 28, 1999

(5) Wednesday, December 29, 1999

(6) Thursday, December 30, 1999

(7) Friday, December 31, 1999

(8) Saturday and Sunday, January 1st and 2nd

Q: Referring to the first question on top of page 5 of this document, when do grievance payments or payments in lieu of a grievance get charged to overtime records?

A: Any grievance payment that is pay for hours not worked, e.g. wrong person worked the overtime, wrong classification worked, work wrongly sub-contracted, get charged to the overtime record. Examples of grievance payments that would not be charged to overtime records would include lead pay, pay difference in hours in a wrongful promotion, field duty pay, or shift premium pay.

Q: If an employee(s) is to be loaned into an area where it is known in advance that there will be substantial overtime opportunity, who should be selected to be loaned?

A: Unless there is a special skill involved employee(s) lowest in hours shall be loaned to keep hours more in balance.

Q: Does an employee that is out of town on paid Union Business need to contact the Company regarding weekend overtime and should (s)he be charged?

A: In interpreting para. 9 of the recording section (p221 CBA) of Supplement I, it was agreed that employees out of town on paid Union Business need not call in and should not be charged for overtime hours (s)he would have been offered during the period of release.

Q: In the Jig and Fixture Builder shop, the majority of the employees are assigned to the day shift and currently only one employee assigned to the swing shift. When the swing shift employee does not want to work weekend coverage overtime, how should that overtime be offered?

A: Assuming that any of the Jig Builders can do the work, employees lowest in hours should be offered the weekend overtime on their own shift. When the day shift requirements are filled, the next lowest in hours person should be offered the swing shift overtime. In the event that an insufficient number of employees are available, overtime on the opposite shift will not be "blocked" but offered one day at a time so employees won't double shift more than once in a weekend. Overtime hours worked or refused on the opposite shift would be charged just like hours worked on the regular shift.

Q: On weeks when the 9/80 off Friday occurs, how should Friday be treated?

A: Off Fridays should be treated like a Saturday so that if it is known that Friday, Saturday and Sunday

are needed, they should be offered in a block.