



<b>EMPLOYEE MANUAL</b>	
Title: <b>SHIFT WORK POLICY</b>	
Policy No.: 12.0	Section Nos.: 12.0 – 12.5
Approval Date: March 2024	Effective Date: July 1, 2024
Approved By: Board of Directors	

## **12.0 SHIFT WORK POLICY**

Employees may be assigned Shift Work to ensure coverage on critical Agency operations. Employees assigned Shift Work may be required to work Regular Schedules, 9/80 Schedules, 4/10 Schedules or Treatment Plant Schedules, as discussed below. Employees assigned Shift Work may also be required to work on a rotating assignment of shifts, including shifts with evening hours. No sleeping is permitted during Shift Work.

### **12.1 Regular and 9/80 Schedules**

In addition to a customary 5/40 schedule (five workdays constituting forty work hours), an employee on Shift Work may be placed on a 9/80 schedule (nine workdays constituting eighty work hours). A 9/80 schedule is a schedule in which four days per week an employee works nine (9) hours and on the fifth day (the “flex day”) that employee either works an eight (8) hour shift, which is split between workweeks (four hours in each workweek) or have the day off. The Fair Labor Standards Act (FLSA) workweek need not coincide with the calendar week nor will it necessarily align with Agency pay periods. The FLSA workweek may begin on any day and at any hour. During a 9/80 schedule, the FLSA workweek begins midway through the employee’s “flex day.” The result is forty (40) hours worked in each FLSA workweek while eighty (80) hours of work is compressed into nine (9) working days. However, the duration of any Shift Work shift may change as necessary for Agency operations.

For those employees on the 9/80 schedule, if the employees normal “Friday off” falls on an Agency holiday, Thursday will be treated as the “Friday off” and Agency facilities will be closed to the public, except for Laboratory activities.

### **12.2 4/10 Schedules**

Additionally, due to the nature of their roles and in lieu of participation in the Agency’s Flexible Workplace Program, certain positions in Departments such as Operations and Customer Care (see Human Resource office for position eligibility list) may be placed on a 4/10 shift work schedule. A 4/10 schedule is a schedule in which an employee works ten (10) hours per day for four (4) consecutive days each workweek. Certain Departments may work a rotating schedule to ensure adequate work coverage. For example, work schedules for various employees may be set as Monday through Thursday, while other employees may have work schedules from Tuesday through Friday. The precise weekdays for a 4/10 schedule will be determined by the Department Manager and may change as the Department needs change. Additionally, the Department Manager, with the approval of the General Manager, has the right to change the schedule of an employee from 4/10 to 9/80 or some other schedule as required to meet the needs of the Department. To the extent that schedule changes are required by Agency operations, reasonable notice of the change will be provided to any impacted employees before the change is implemented.

For those employees on a 4/10 schedule who work a Monday through Thursday schedule, if an Agency holiday falls on a Friday, Thursday will be treated as the employee’s



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holiday day off. For those employees on a 4/10 schedule who work a Tuesday through Friday schedule, if an Agency holiday falls on a Monday, Tuesday will be treated as the employee’s holiday day off.

**12.3 Treatment Plant Schedules**

Employees assigned to Shift Work operating Treatment Plants will typically work alternating weeks. These employees will work twelve (12) hour shifts each day for seven (7) consecutive days and will be off duty for the following seven (7) consecutive days. While Treatment Plant Operators assigned to Shift Work do not receive time off for holidays, they are paid twelve (12) hours of holiday pay if they are assigned to work during a holiday and eight (8) hours of holiday pay if not assigned.

In all cases, non-exempt Agency employees on Shift Work are paid overtime consistent with the FLSA requirements.

**12.4 Shift Differential – Treatment Plant Operator**

A 5% shift differential is applied to the rate for employees performing the duties of Senior Treatment Plant Operator and Treatment Plant Operator assigned to shift work will be applied to straight time and overtime hours. If the Agency changes its shift work practice, the shift differential will be reviewed at that time.

**12.5 Shift Differential – Field Employees and Inspectors**

Periodically, the Operations field crew, inspectors or designated field employees may be scheduled to work the night shift. An employee working the night shift is entitled to lunch and breaks the same as for daytime work within their shift. Scheduled night shift hours will be worked in lieu of working the following day. An employee scheduled to work a night shift will receive an hourly shift differential pay of 10% added to the employee’s regular pay rate; this shift differential pay is not applied to overtime rate.