

### Article 12 - Working Conditions

12.1 The normal workday for full-time classified employees is eight (8) hours, excluding the lunch break. Daily starting and ending times are determined by the supervisor.

12.2 Working hours, work days, and daily starting and ending times for part-time employees will be determined by the ESD.

#### 12.3 Workweek

A full-time workweek for employees shall be defined as forty (40) hours of work within a seven (7) day period, commencing at 12:01 a.m. Sunday through 12:00 midnight on Saturday.

#### 12.4 Rest Periods

Employees shall receive a fifteen (15) minute rest period break during each segment of four (4) hours or major part thereof worked in any one work period. The rest period break will be scheduled as close as possible to the middle of the work period. Rest periods shall be considered as time worked. If an employee misses taking their full rest period break(s), they will notify their immediate supervisor of the reason for missing the rest period break(s) and work with the supervisor to reach a remedy that will prevent future loss of rest period break(s). Work schedules shall reflect sufficient time for employees to complete their full rest period break or meal period and be able to reach their post-rest period break assignment.

#### 12.5 Meal Period

Employees who are scheduled to work six (6) or more hours shall receive an uninterrupted, unpaid meal period of at least one-half (1/2) hour but not more than one (1) hour. Such time shall be scheduled by the employee's immediate supervisor and shall be as near as possible to the halfway point of the workday. Such time shall not be considered as time worked. If an employee does not receive their full meal period for any eligible work days, the employee will complete a timesheet that indicates the length of the lunch period missed and will submit this to their immediate supervisor for payment processing.

Length of work period	Number of rest periods	Number of meal periods
2 hrs. or less	0	0

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2 hrs. 1 min – 4 hrs., 59 minutes	1	0
5 hrs. – 5 hrs., 59 minutes	2	0
6 hrs. – 10 hrs.	2	1

### 12.6 Overtime

Members of the bargaining unit ~~covered by the provisions of the Fair Labor Standards Act~~ shall be compensated at the rate of time and one-half in the form of pay or compensatory time off, at the discretion of the ESD, for all assigned, **pre-approved** work in excess of forty (40) hours in any work week. Overtime shall be computed to the nearest quarter hour. Overtime pay shall be based on the actual number of hours on duty per **weekday**. For the purpose of computing overtime, only the hours an employee actually works shall be credited as time worked in computing total work period hours. All overtime must be approved in advance by the employee's supervisor.

12.7 The ESD may adopt a ten (10) hour, four (4) day workweek for any of its employees. Overtime payments will be in accordance with Section 12.6 above.

### 12.8 Call-back Pay

A bargaining unit member who is directed to return to the work site after completing a scheduled shift shall be entitled to a minimum of two (2) hours of pay, regardless of the length of actual work time. **A bargaining unit member who is directed to remotely return to duty after completing a scheduled shift shall be entitled to a minimum of 15 minutes of pay or the actual amount of time worked, whichever is greater.** Overtime compensation will be paid according to Section 12.6. A call-back employee shall be entitled to mileage reimbursement for the round-trip distance between the person's house and the designated work site. Travel reimbursement is only for miles actually driven.

An extension of the workday is not call-back. On a call-back, management has the right to choose the employee.

### 12.9 Workers Compensation

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This provision is effective after determination and verification by the Workers Compensation Board that the employee has sustained a compensable injury as defined by ORS Chapter 656 and beginning with the date time loss benefits begin.

A. At the employee's option, the employee may be compensated at the amount of the difference between the employee's regular salary and the amount of the time loss benefits paid. The difference between these amounts shall be charged against the employee's accumulated sick leave, subject to the total of that accumulation.

B. An employee who has sick leave deducted during the initial three (3) days of absence due to a compensable accident or illness shall, following the time it is determined that the claim is compensable, have three days restored to the employee's sick leave account, if time loss is greater than 14 days. If such determination is made after the employee has exhausted all available paid leave, an appropriate adjustment shall be made to reflect the inclusion of those three (3) days.

#### 12.10 Safe Working Conditions

A. The Union and the ESD believe the work environment for bargaining unit members should be free of unreasonable risk to bargaining unit members' health and safety. The Union and the ESD recognize that safe work areas, safe equipment, safe work habits and practices, and safe operations are a mutual benefit to employee and employer alike and, therefore, are a mutual obligation. The ESD will have a Safety Committee, which will function in accordance with OR-OSHA administrative rules. The ESD and the Association will appoint their own members to the Safety Committee. In addition, the ESD and the Association will establish a Safe Working Conditions Task Force (Task Force) to address any safe working conditions concern brought by members. The Task Force shall include members of the Association and the Management team, and may include others as required to address concerns raised. The Task Force shall reconvene by September 30 of each year to review their function and practices in alignment with Board Policy and staff procedures as outlined in the Staff Handbook (where appropriate). Thereafter, "Safe Working Conditions" shall be a standing agenda item topic in the monthly Labor Management meeting, and the Task Force shall be convened on an as-needed basis in response to concerns. The Task Force may also consider regular input to the general Safety Committee.