

November 18, 2016

### **RX Side Letter on Shift Differentials**

The purpose of this Side Letter is to set shift differential rates for non-exempt RX employees in accordance with DOE requirements by incorporating the LBNL language from the TX collective bargaining agreement as follows:

#### **F. LAWRENCE BERKELEY NATIONAL LABORATORY (LBNL)**

##### **1. General**

Shift differential is extra pay in addition to base pay for non-day shift work. A non-exempt employee is paid this differential when required to work on an assigned swing or owl shift. The amount of the differential is 7.5% for swing shift and 15% for owl shift. For purposes of computing shift pay, a swing shift consists of the hours from 4:00 p.m. to 12:00 midnight and an owl shift from 12:00 midnight to 8:00 a.m.. To qualify for payment of shift differential, a minimum of four hours must be scheduled during the above periods. Work which is scheduled during the swing or owl shifts for the convenience of the employee is not considered an assigned swing or owl shift and no differential will be paid.

##### **2. Overtime**

Overtime pay for employees who receive shift differential pay and work during non-day shifts is based on the employee's base pay and shift rate.

##### **3. Temporary Assignments**

Employees who usually work a swing or owl shift continue to receive the shift differential when assigned temporarily by their supervisor to a day shift for four days or less. A change in shift assignment initiated by the employee is not covered by this provision and no differential will be paid.

##### **4. Paid Leave**

Shift differential is included for all types of paid leave based on the shift an employee would have worked.

##### **5. Terminal Vacation Pay**


Terminal vacation is paid at the appropriate shift differential rate when the employee has been permanently assigned to swing or owl shift or when a temporary swing or owl shift has extended over 90 days

For LBNL:



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