OPERATING ENGINEERS LOCAL UNION NO. 3 – UNITED CONTRACTORS

LETTER OF UNDERSTANDING

PAYMENTS TO EMPLOYEES

THIS AGREEMENT is made and entered into this 1st day of April, 2020, by and between United Contractors, ("Association") and OPERATING ENGINEERS LOCAL UNION NO. 3 of the International Union of Operating Engineers, AFL-CIO ("Union"), collectively known as "the Parties".

It shall continue to be the understanding of the Parties that, in the event that an Individual Employer issues any form of disbursement to a current or former employee per a government ordinance or mandate, e.g. Emergency Paid Sick Leave Act, Emergency Family & Medical Leave Expansion Act, such payments shall not constitute "each hour worked or paid" under Section 12.01.00, meaning that corresponding fringe contributions under Section 12.00.00 are not required, unless otherwise required under the government ordinance or mandate.

Furthermore, in recognition of the current COVID-19 emergency in our industry, effective March 16, 2020, for workers who are unable to work for COVID-19 related reasons (e.g., job shut downs, sickness, self-quarantine, etc.), Individual Employers may voluntarily compensate workers with wages only. No fringe benefit payments (as defined under Section 12.00.00) shall apply in such cases, provided the worker is not performing covered or non-covered work.

IN WITNESS WHEREOF, the parties hereto set their hands and seals by their respective officers duly authorized to do so this 1st day of April, 2020.

ASSOCIATION:

UNITED CONTRACTORS

Victor Sella, Director of Labor Relations

Print Name

UNION:

OPERATING ENGINEERS LOCAL UNION NO. 3 of the International Union of Operating Engineers, AFL-CIO

Dan Reding, Business Manager

Print Name
LETTER OF UNDERSTANDING

UCON-OPERATING ENGINEERS MASTER AGREEMENT

FRINGE BENEFITS

Notwithstanding references in the Master Agreement regarding the payment of various fringe benefits for "hour[s] worked or paid", it is hereby agreed by United Contractors (UCON) and the Operating Engineers Local Union No. 3 (OE3) that fringe benefits shall not be owed for:

- Non-mandatory training time to a maximum of 48 hours - Hours that employees spend participating in voluntary professional development or trainings, excluding covered work, offered by the Employer shall be compensated at the regular wages employees would receive had they been performing covered work. However, the hours shall not be considered hours worked or paid under Section 12.01.00, and the Employer shall not owe fringe contributions under Section 12.00.00 for such compensation. Hours of compensation under this Section shall not exceed 48 hours in one calendar year for any one employee by a single Employer or Individual Employer.

IN WITNESS WHEREOF, the parties hereto execute this Letter of Understanding by their respective officers authorized to do so this 3rd day of April 2020.

FOR THE EMPLOYER:
UNITED CONTRACTORS [UCON]:

Victor Sella, Director of Labor Relations

FOR THE UNION:
OPERATING ENGINEERS LOCAL UNION NO. 3 of the International Union of Operating Engineers, AFL-CIO

Dan Reding, Business Manager