

APPENDIX NO. 8a

THE OPERATIVE PLASTERERS AND CEMENT MASONS INTERNATIONAL  
ASSOCIATION

Local Union No.222 (Cement Masons)

BURNTWOOD/NELSON AGREEMENT

1. Hours of Work and Overtime

Nine (9) hours shall constitute a day's work for four (4) days Monday through Thursday, and eight (8) hours shall constitute a day's work for Friday. Said hours shall normally be within the period from 7:00 a.m. until 6:00 p.m.

If more than the recognized daily hours are worked in any one (1) day or shift, Monday to Thursday, such time shall be paid at the rate of time and one-half for the first three (3) hours and double time for hours worked thereafter in any one (1) day.

If more than the recognized daily hours are worked on Friday, such time shall be paid at the rate of time and one-half for the first four (4) hours and double time for hours worked thereafter.

On Saturdays, except as provided in Article 15.2, time and one-half shall be paid.

On Sundays and holidays as specified in Article 17, double time shall be paid.

2. Shift Conditions

If conditions are such that work on that particular job cannot be done within the said normal hours (7:00 a.m. to 6:00 p.m.) then nine (9) hours or eight (8) hours, as the case may be, may be worked during any hours and may constitute a regular shift. When a shift ends between 6:00 p.m. and 7:00 a.m. an employee shall receive 1.09 times his normal rate for all hours worked at straight time. Shift work premium will not be paid on any overtime hours worked.

Overtime payment for shift work shall be in accordance with the provisions as set out above.

The starting and quitting time of all shift work will be decided by the Contractor.

3. Wages

(a) Journeyman Cement Masons

Effective May 1, 2013	\$30.02
Effective May 1, 2014	\$30.85
Effective May 1, 2015	\$31.72

(b) Foreman

When the Contractor appoints a working foreman, he shall receive a minimum of \$1.25 (one dollar and twenty-five cents) per hour above the Journeyman's wage rate. In the discretion of the Contractor, the amount may be higher.

(c) Apprentices

i) The Contractor may employ one (1) apprentice for every Journeyman employed.

ii) The scale of wages for apprentices shall be:

Level 1 - 60% of the Journeyman's rate  
Level 2 - 70% of the Journeyman's rate  
Level 3 - 85% of the Journeyman's rate

iii) The Contractor will maintain a log book on each apprentice and hours to be credited towards that employee's apprenticeship will be entered on a weekly basis. The Contractor will provide the log book to the apprentice upon termination of employment and will forward to the Union a copy of the log book entries indicating the number of hours credited to that apprentice.

iv) Apprentices shall provide the hand tools set out in the Tool Section of this Appendix.

4. Vacation and Vacation Pay

Annual vacation will be arranged as provided in The Employment Standards Code for the Province of Manitoba.

Vacation pay allowance will be accumulated for the credit of each employee at the rate of six percent (6%) of the employee's standard hourly rate for each hour worked, except as set out below.

Advance payment in lieu of pay at time of vacation in the applicable amount set forth above shall be added to each employee's wages on each pay period.

5. Pay in Lieu of Holidays

Whether or not an employee works on any of the Holidays under Article 17, he shall receive in lieu of paid Holidays, four percent (4%) of his standard hourly rate for each hour worked. The employee shall be paid this allowance at the time and under the conditions set forth in the Employment Standards Code.

6. Trust Funds

The Contractor and each employee covered by this Appendix shall contribute the amounts set out below to the Manitoba Multiple Trade Health and Welfare and Pension Trust Funds. Contributions shall apply to all hours worked. The employee's contributions shall be collected at the source as a payroll deduction.

(a) Health and Welfare

Contractor's contribution	55 cents per hour
Employee's contribution	70 cents per hour

(b) Pension Fund

Contractor's contribution	\$1.99 (one dollar and ninety-nine cents per hour)
Employee's contribution	80 cents per hour

Contributions to the above Pension Fund and Health and Welfare Fund shall be submitted each month by the 15th of the month following the month for which contributions are collected.

7. Tools

Cement Masons shall provide the following hand tools:

- 2 hand trowels (one 14" and one 16")
- 1 pointing trowel
- 1 hand float
- 1 chipping hammer
- 1 brush (5" or 6")
- 1 chalk line
- 1 spirit level
- 1 tape (minimum 12' or 4 m)
- 1 edger
- 1 jointer

8. Escalation and Reference

8.1.1 General Approach

Subject to and in accordance with the conditions set out below, and subject to any adjustments arising from the application of Section 8.2, the wage rates set out in this Appendix will be adjusted by a percentage equivalent to the weighted percentage adjustment in wage rates and in the employers' contribution rate to pension and health and welfare plans negotiated from time to time for each of the Reference Classifications set out in 8.1.2.

8.1.2 Reference Classifications and Weighting

The Reference Classifications and the weighting of these classifications shall be as follows:

Reference Classification	Weighting Factor
The General Construction Labourer classification as set out in the Agreement negotiated and executed by the Construction Labour Relations Association (CLRA) of Manitoba and the Construction and Specialized Workers' Union, Local Union 1258	40%

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The Journeyman Carpenter Classification as set out in the Agreement negotiated and executed by the CLRA of Manitoba and the United Brotherhood of Carpenters and Joiners of America, Local Union 343.	30%
Journeyman Sheet Metal Worker - as set out in the Agreement negotiated and executed by the CLRA of Manitoba and the Sheet Metal Workers, Local Union 511.	30%

8.1.3 Method of Calculating Weighted Percentage Adjustment of Reference Classifications

The weighted percentage adjustment of each Reference Classification shall be determined in accordance with the following formula:

$$\frac{(\text{Change in W}) + (\text{Change in P}) + (\text{Change in H\&W})}{(\text{Expired W}) + (\text{Expired P}) + (\text{Expired H\&W})} \times 100 \times \text{Weighting Factor}$$

Where:

- Change means the increase or decrease in that benefit.
- W means wage rate.
- P and H&W means the required employers' contribution rate to the pension and/or the health and welfare plan.
- Expired means the rate in effect when the last weighted percentage adjustment was calculated.
- Weighting factor means the factor assigned to a particular Reference Classification as set out in 8.1.2.

8.1.3.1 In calculating the weighted percentage adjustment of a Reference Classification, the arithmetic result shall be rounded to the nearest hundredth of a percent.

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8.1.4 Effective Date of Wage Rate Adjustments and Adjustments to Pension and Health and Welfare Plans and Application of the Formula

8.1.4.1 Effective Date of Wage Rate Adjustments

When the wage rate adjustment of a Reference Classification(s) is effective on the first of any month, then the wage rate adjustment of the hourly rates in this Appendix shall be effective on that date.

When the wage rate adjustment of a Reference Classification(s) is not effective on the first of any month, it shall be deemed to be effective on the first of the month following, and the wage rate adjustment of hourly rates in this Appendix shall be effective on that date.

8.1.4.2 Effective Date of Adjustments to the Employers' Contribution Rate to Pension and/or Health and Welfare Plans

When the adjustment to the employers' contribution to the pension and/or health and welfare plans of a Reference Classification(s) is effective on the effective date, or pursuant to 8.1.4.1 the deemed effective date, of any wage rate adjustment of any Reference Classification, then such adjustment shall be calculated and taken into account on that date. If this is not the case, then such adjustment shall be calculated and taken into account on the closest following effective date of a wage rate adjustment.

8.1.4.3 In applying the weighted percentage adjustment, the resultant wage rate shall be rounded to the nearest cent, following which, any adjustment required by virtue of Section 8.2 shall be introduced to yield the new wage rate schedule that will apply in this Appendix.

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8.2 Pension and Health and Welfare

8.2.1 The Contractor's responsibility for contributions to the Pension and Health and Welfare Trust Funds referenced in Section 6 of this Appendix shall be no greater than one dollar and 99 cents (\$1.99) per hour worked, and 55 cents per hour worked, respectively. In the event that the Operative Plasterers and Cement Masons International Association Local Union No. 222 requires increased contributions to its Pension and/or Health and Welfare Trust Funds, the total amount of said increase will be deducted from the employees' wages or become an employee contribution.

8.2.2 The Contractor's contribution to the Pension and Health and Welfare Plans may be applied on a per hour worked basis; however, the Contractor's contributions rate in respect of overtime hours shall not be greater than the required contribution rate for Contractors in respect of straight time hours.

8.3 Notwithstanding anything contained in this Agreement or in this Appendix, the regular hours of work are not subject to adjustment during the life of this Agreement, and such regular hours of work shall be paid at regular rates of wages.

8.4 The provisions of Sections 8.1 and 8.2 shall be dealt with by following the procedure set out in Article 30 of this Agreement.