

# You Ought To Know

ISSUE: 20

## What is pyramiding?

Pyramiding, in the context of premium pay, occurs when an employee receives multiple premium payments (like overtime and shift premiums) for the same hours worked. It's like getting 'double-dipped' premium pay.

We have language in the Principal Agreement that prohibits this 'double-dipping'. Clause 915 of the Blue Pages states:

- Regular hours, shift hours and overtime hours are to be considered mutually exclusive.
- Premiums shall not be folded into the base rate or pyramided when calculating applicable rate of pay except as stipulated in the Local Union Appendices.

If there is a situation where more than one premium could be payable, pay the higher premium.

It is important to note that Local 1687 and Local 773 have specific language that requires pyramiding of payments in certain circumstances. Please be sure to always review the Local Union Appendix in the area where the work is being done for specific language regarding shift premiums, hours and overtime.

Let's go through an example:

- Shift schedule is 10 hours/day (presuming 40-hour work week, 5 days/week, so 2 hours is overtime)
- Pay the shift premium for the first 8 hours (i.e. 115% - % varies by local)
- Pay overtime for the last 2 hours (i.e. 200%). Overtime is the higher premium.
  - Not overtime plus the shift premium (215%)
  - Not the shift premium plus overtime (230%)

Again, if your Local Union Appendix says otherwise, please follow that language.

## What is an employer's obligation to pay employees for sufficient time to vote in the Provincial election on February 27?

Under the Ontario Elections Act, all employees who are Canadian citizens, 18 years of age or older, and residents of Ontario are entitled to three consecutive hours to cast their vote on election day. Voting is from 9:00 a.m. to 9:00 p.m. EST on Thursday, February 27, 2025.

Where an employee has three consecutive hours during voting hours that fall outside of their work schedule, the employer is not obligated to provide paid time off to vote.

According to Section 6 of the Ontario Elections Act, if an employee's hours do not provide them with 3 hours free from work between 9:00 a.m. and 9:00 p.m. EST and they request time from work to vote:

- Any time off for voting can be given at the time of day that best suits the employer,
- Their pay cannot be deducted; and
- They cannot be penalized by reason of their absence from work.

For example:

- If your employees are done work by 6:00 p.m., then you do not have to provide paid time off to vote.
- If your employees are scheduled to work until 7:00 p.m., if requested, you would need to provide them with paid time off to vote beginning at 6:00 p.m.

This is something to consider when putting together schedules for the week of the Provincial election.

## What is the Electrical Trade Bargaining Agency (ETBA)?

Since provincial bargaining is now underway (refer to Issue 19 for more information on bargaining), we thought it would be a good idea to provide information on the ETBA. The ETBA is the labour relations committee of the ECAO and directly involved with provincial bargaining. The ETBA acts as the legal representative of the ECAO in all matters relevant to labour negotiations in Ontario. In matters relating to labour agreements, the ETBA is autonomous, and its decisions are final and binding on all members of the ECAO having contractual relations with the IBEW Construction Unions.

Each area ECA identifies their representative and backup for the ETBA. ECAO's Communications Committee also identifies their representative. The ETBA members elect a Chair and Vice Chair for a minimum three-year term. ETBA representatives take time away from their jobs and their companies throughout the year, and even more so during bargaining years. We appreciate their willingness to volunteer their valuable time to assist us in better representing the industry.

Here is a list of the current members of the ETBA and their alternate members:

Area	ETBA lead	ETBA alternate
Hamilton	Mark Lloyd	Dan Lancia
Quinte/St. Lawrence	Don Norman	Mike Paul
London	Guy MacMillan	Andy Tilson
Niagara	Chris Cimek	Larry Shaver
Toronto	Dan Camilleri (VC)	Dave Scott
Thunder Bay	Rick Ball	Chris Welbourne
Sarnia	Anthony Tofano	Carlo Maola
Ottawa	Bob Brennan	Johannes Ziebarth
Windsor	Johncarlo Salvatore	Brad Vollmer
Central Ontario (Kitchener)	Nick Mammoliti	Jason Jackson
Northern (Sudbury)	Kris Ferguson	
Line	Allan Kellett	Ken Nepaul
Communications	Tom Beros	Steve Watson
	ETBA Chair: Roch Picknell (as of May 16, 2024)	

## Do you know what You Ought to Know?

We hope that you're benefitting from the facts and insights we share through this publication. You can find all previous issues of You Ought to Know on the ECAO website under Publications.