



Hours of Work Averaging Agreement

Tolko Industries Ltd. Athabasca Division Hours of Work Averaging Agreement (HWAA) is designed to ensure the plant has coverage to operate continuously while providing a balanced schedule to employees. This HWAA is a group agreement and the group consists of the Process and Technical Coordinator and General Production 7 on, 7 off employees (the “Employees”) and applies to any new Employees in the group.

1. The parties agree the HWAA will commence on September 6, 2020 and shall end on September 5, 2022, and this replaces the previous HWAA.
2. The Employees’ hours of work under this HWAA will be averaged over a period of 2 weeks, commencing Sunday and recurring every 2 weeks thereafter as set out below. Each 2-week period shall be considered an “Averaging Period” for the purposes of calculating overtime entitlement, based on the following schedule.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
off	off	12 hours	12 hours	12 hours	12 hours	12 hours
12 hours	12 hours	off	off	off	off	off

3. The Employees and Tolko agree that the Employees are employed on an hourly basis, and actual daily hours may be varied from those scheduled based on an accident which has occurred, urgent work being necessary or other unforeseen or unpreventable circumstances.
4. The Employees’ work schedule may be changed on a temporary basis without requiring the payment of overtime provided that the change is made with at least 2 weeks’ notice to the Employee.
5. If within the same Averaging Period an Employee makes up a shift on an unscheduled work day because of having been absent on a scheduled work day, the Employee is entitled to be paid the regular wage rate and any applicable overtime pay in accordance with the originally scheduled shift.
6. Employees will be entitled to overtime for the greater of hours worked in excess of:
 - 12 hours a day (daily scheduled hours), payable at the end of the pay period
 - Hours worked which exceed an average of 44 hours per week over the Averaging Period, payable at the end of the Averaging Period.
7. For the overtime hours worked, the Employee shall be paid overtime pay of 1.5 times the Employee’s wage.
8. Tolko will provide a copy of this HWAA to the Employees.
9. Tolko or the Employees may terminate the HWAA by giving no less than 30 days’ notice in writing (if a majority of the Employees in the group agree in writing).
10. This HWAA may be signed in counterparts.

Signed (Employer)

Date

Signed (Employee)

Signed (Witness)

Name (Employee)

Name (Witness)