

Memorandum of Understanding

Crystal River Scrubber Operator Apprentices

This Memorandum of Understanding (MOU) is agreed to by and between Duke Energy Florida (Company) and the IBEW System Council U-8 (Union). The purpose of this MOU is to provide a one-time opportunity for select regular employees at the Crystal River Energy Complex to become Journeyman Scrubber Operators by entering into the Apprenticeship Program, and to outline the transfer of job duties from the Special Lab Technician (SH) classification to the Scrubber Operator classification. Unless specifically addressed below, all other terms of EXHIBIT "C (Part 1)" – Fossil Hydro Operations Florida (FHOF) Apprenticeship Program and other provisions of the Memorandum of Agreement (MOA) remain in force and effect.

- 1. Management will abolish up to five (5) Special Lab Technician (SH) positions at Crystal River North/Crystal River Clean Air. The operation and minor maintenance of the Waste Water Treatment Plant and the work performed by Special Lab Technicians (SH) in the Crystal River Clean Air Lab will be transferred to Scrubber Operators. The lab duties at the Crystal River North steam plant will continue to be performed by the remaining Special Lab Technicians (SH).**

- 2. Management will post up to five (5) positions into the Apprenticeship Program as Apprentice Scrubber Operators (SH) at Crystal River North. The length of the Program for Apprentice Scrubber Operators is approximately 4 years and employees selected for the Apprenticeship Program will be required to sign an Indenturement Agreement. On a one-time, non-precedent setting basis, the positions will be filled by seniority, following the criteria stated in Paragraph 3 below, in lieu of using the approved selection process set out in EXHIBIT "C (Part 1)".**

- 3. In order to be eligible for these positions, employees must meet the following criteria:**
 - a. Currently hold a Fuel Equipment Operator, Mechanic, Certified Welder Mechanic or Special Lab Technician (SH) classification, headquartered at either Crystal River North, Crystal River Coal Yard or Crystal River Clean Air.**
 - b. Pass the POSS test.**
 - c. For purposes of bidding and selection, priority will be given to those employees holding the Special Lab Tech (SH) classification at Crystal River North.**

8. In the instance of this particular posting described in Paragraph 7 above, any Journeyman employee selected to a contingent Assistant Plant Operator position will retain their current rate of pay through the end of the contingent assignment, subject to any general wage increases. In the event a Master or Chief is selected, their rate of pay will be reduced to top step journeyman pay in their line of progression through the end of the contingent assignment, subject to any general wage increases.

For the Company

SEC Subels

Date

8/21/19

For the Union

F. D. Howard

Date

8/21/19

New Scrubber Operator (Maintenance Skill) Classification

Create new classification in the Production Department seniority group, Scrubber Operator (Maintenance Skill), and require all current Scrubber Operators with twenty-nine (29) years of service or less upon ratification of this agreement, to acquire the Maintenance Skill for that position in accordance with the provisions set out below. Upon achievement of this skill, employees will be reclassified in place and paid an increased wage rate of \$.30/hr. All future vacant Scrubber Operator positions will be posted as Scrubber Operator (Maintenance Skill). Should any qualified Scrubber Operator, without Maintenance Skill, bid the position, the Company will provide the training necessary to attain the Maintenance Skill and the employee will be expected to successfully attain the new classification within six (6) months.

WWTP, Clean Air Lab, and Maintenance Skills

The Maintenance Skill designation for the new Scrubber Operator (Maintenance Skill) position will be achieved by completing the training noted below and by demonstrating the ability to perform all of the tasks set out in the attached Task List. Operation of the WWTP and Clean Air Lab will be the primary responsibility of the Scrubber Operator (Maintenance), including all prearranged and emergency overtime assignments. The Maintenance Skills listed in the Task List are those that are the most frequently performed in the Electrical, I & C, Mechanical disciplines. Scrubber Operators (Maintenance Skill) will be required to perform maintenance and troubleshooting duties while on shift, consistent with these tasks, however, they shall never be called out or prearranged to perform these maintenance tasks on overtime.

Incumbent Scrubber Operator Training

Management will determine a training schedule assigning Scrubber Operators to the Waste Water Treatment Plant and Clean Air Lab. Scrubber Operators will have up to six (6) months to acquire the skills and attain the necessary sign offs required to operate the WWTP and Clean Air Lab.

After completing the WWTP and Clean Air Lab operations training, each Scrubber Operator will be assigned to maintenance shops for the purpose of getting the Maintenance Skills signed off. Assignment to maintenance shops does not have to be scheduled on consecutive work days. Scrubber Operators have up to six (6) months to complete all task sign-offs. This time shall be extended by management if work schedules and resources have prevented the employee from completing the task sign-offs. As tasks are signed off, the Scrubber Operator can be assigned those duties.

An on-the-job evaluator(s) (OJE), as defined in the apprenticeship program outlined in Exhibit C, will be used to complete the sign-off process in each shop.

Once the Scrubber Operator has the skill signed off by the OJE, the Scrubber Operator will receive a confirmation summary evaluation by the applicable maintenance shop supervisor and/or his/her operations supervisor. Once the supervisor signs the Scrubber Operator off, the Scrubber Operator will then be considered "maintenance skilled" qualified. His/her job classification will be changed to Scrubber Operator (Maintenance Skill) and he/she will then receive the per hour wage increase negotiated by the parties.

Should the Scrubber Operator fail to achieve the required task sign-offs, within the time period set forth above, the pay of that Scrubber Operator will be frozen until they:

A. attain the Maintenance Skill, or

B. vacate the position.

Other

If, during the training period for acquisition of the respective Maintenance Skills, vacancies occur in the Scrubber Operator position that management determines to fill, such vacancies will be posted as Scrubber Operator (Maintenance Skill). Qualified bidders will include any employee who otherwise would be qualified to be selected for

Scrubber Operator. The selected applicants will then be required to go through the training set out above.