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TO BENEFIT ... PARTICIPATE!



NCECI COMPLIANCE APP AVAILABLE

NCECI – an innovative leader of compliance enforcement within the electrical construction industry and provider of valuable assistance to workers, contractors, public agencies, developers, taxpayers and the public – has developed an application that is now available for both Apple and Android devices. To get the application, just search for “NCECI Compliance” in the app store today? There you will find a range of information on public works contracting, current links to industry partners, contractor directory, news feeds, resources, and more. Workers and contractors can now file complaints online and have the basics for self-education.

POLITICO ALERT

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GOVERNOR BROWN SIGNS AB 92 – 5% RETENTION EXTENDED

Governor Brown has signed AB 92 the NECA sponsored legislation which extends the 5% retention cap on public works projects for another five years.

The 5% retention cap is a significant policy for the construction industry and has an extremely positive impact on small and emerging construction businesses, in addition to freeing up capitol for large public works contractors.

We would like to thank Assembly Member Rob Bonta for championing this important issue and all of the contractors who took the time to submit letters to Governor Brown requesting that he sign the bill.



NECA CONVENTION REGISTRATION OPEN

Where else can you participate in education sessions geared to the needs of NEA contractors, connect with manufacturers and service providers you rely on, and meet up with your fellow contactors? Only NECA 2017 Seattle!! You get all that knowledge and face-to-face networking in just three days, meaning fewer days out of the office, lower travel costs and immediate results ... at a savings of more than \$900. Visit NECAConvention.org to learn more

The NECA Show is the #1 Trade Show of its kind in the electrical construction industry. NECA is proud to present the largest gathering of manufacturers and distributors showcasing thousands of solutions contractors need to save time and money on the job, and grow their business. The trade show floor is a virtual classroom, providing the latest technological advances

in such areas as power supply, security, tools, integrated building systems, lighting and controls, solar/PV, energy storage, other energy markets and so much more.

New this year, it is easier than ever for members to register themselves and a guest by following these instructions:

Log into the [NECA Registration & Hotel Booking Website](#) with your individual ID and Last Name

Note: Please contact the chapter office if you do not know your individual ID.

Once logged in, you as a chapter member, will automatically be placed into our chapter room block.

Free trade show only access is also available under the Non-Member tab. Use the invitation code "17ECM".



A reporter is interviewing a 104-year-old woman:

'And what do you think is the best thing about being 104?' the reporter asked...

She simply replied, 'No peer pressure.'

NECA NETWORK LAUNCHED!

NECA Network went live on Monday, July 17. Members have received an alert to the new online community in NECA This and their first "daily digest" email later that afternoon with a welcome message from John Grau and instructions on completing their profile and posting to the forums.

All Chapters can have a private community. Membership in the chapter communities has been pre-populated from our membership database, so there is no set up time for you. It's a great place to post information about membership meetings,

upload documents for your members, and exchange information. We hope you will find our new online community valuable. For more information or have any questions about NECA Network, please contact Ginger Wilson at [301-215-4524](tel:301-215-4524) or vpw@necanet.org.



OSHA ANNOUNCES NEW ENFORCEMENT POLICY ON MONORAIL HOISTS

OSHA has announced a new enforcement policy that excludes monorail hoists from the requirements of Subpart CC – Cranes and Derricks in Construction, as long as employers meet other OSHA requirements. The policy change was made in response to stakeholders' comments that monorail hoists are significantly different from other cranes and derricks in construction. Under the new policy, the agency will not site employers for failing to meet the requirements of Subpart CC if they meet the requirements of the overhead hoist and general training standards. The general training industry requirements for monorail hoists remain intact. Read the [news release](#) for more information.

**I HAVE
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CIRCUS.**



OSHA LAUNCHES APPLICATION TO ELECTRONICALLY SUBMIT INJURY DATA ON AUGUST 1st

The Occupational Safety and Health Administration has announced it will launch the Injury Tracking Application (ITA) on Aug. 1, 2017.

The agency said the web-based form allows employers to electronically submit required injury and illness data from their completed 2016 OSHA Form 300A. The application will be accessible from the ITA web page.

Last month, OSHA published a notice of proposed rulemaking to extend the deadline for submitting 2016 Form 300A to Dec. 1, 2017, to allow affected entities sufficient time to familiarize themselves with the electronic reporting system and to provide the new administration an opportunity to review the new electronic reporting requirements prior to their implementation.

The data submission process involves four steps: (1) Creating an establishment; (2) adding 300A summary data; (3) submitting data to OSHA; and (4) reviewing the confirmation email. The secure website offers three options for data submission. One option will enable users

to manually enter data into a web form. Another option will give users the ability to upload a CSV file to process single or multiple establishments at the same time. A third option will allow users of automated recordkeeping systems to transmit data electronically via an application programming interface.

The ITA web page also includes information on reporting requirements, a list of frequently asked questions and a link to request assistance with completing the form. For more information, visit www.osha.gov.



UPCOMING CLASSES OFFERED THROUGH THE JATC

FIRST AID/CPR

Since First Aid/CPR language has been added to the Inside Agreement and will now be a requirement, the JATC continues to offer it more regularly. Roni Jane Sudyka will be the trainer and the class is always well received. Blood borne pathogens will also be covered. The next class is scheduled for **August 19, 2017 from 8am to 1 pm**. Call Stacy at the JATC office at (831) 633-3063 to reserve your place. Class size is limited.

SIGNIFICANT CHANGES TO THE CODE

A Significant Changes to the Code series, with instructor David Martinez is scheduled for **August 15, 2017 from 5:30 pm to 8:30 pm** and will be held the third Tuesday of the month. Drop on in! You are welcome to attend one class or as many as you like in this series. This is a (3) hour class.

CALCTP

California Advanced Lighting Controls Training Program (CALCTP) with Instructor Stephen Slovacek is looking for participants. This class is a total of 50 hours: 10 hours of lecture and 40 hours of lab. The class schedule will be coordinated with those in attendance. **YOU MUST BRING PROOF OF COMPLETING THE ONLINE COURSE TO THE FIRST CLASS OR EMAIL TO stacy@tricityjatc.org.**

Students will not be allowed to attend the class if they have not completed the online coursework. Go to bit.ly/IBEW234CALCTP to get started today. There is a \$125 stipend available upon successful completion provided by the Monterey Bay LMCC.

CALCTP-AT

The JATC is also taking sign-ups for the California Advanced Lighting Controls Training Program-Acceptance Testing

(CALCTP-AT) with Instructor Stephen Slovacek. This class is a total of 24 hours. The class schedule will be attendance. The prerequisite for this class is completion of the 50-hour CALCTP. An application form must be completed prior to starting class. To register for this class there is a \$225 application/record maintenance fee. Go online to goo.gl/qkW7AI to complete an application and pay the application/record maintenance fee. There is a \$125 stipend available upon successful completion provided by the Monterey Bay LMCC.

EVITP - CONDENSED

EVITP 3.0 Class Electric Vehicle Infrastructure Training Program (EVITP) 3.0 with Instructor Stephen Slovacek. This class is a condensed version of the 35-hour course. It is a prerequisite for EVITP that you are a California Certified General Electrician. As a bonus, there is a \$125 stipend available upon successful completion provided by the Monterey Bay LMCC. Call Stacy for more information.



TRI-COUNTY JATC APPRENTICE AT NTI 2017



At the 2017 Tri-County Electrical JATC Graduation last May, it was announced that our outstanding apprentice graduate, Chris Olsen, would attend the 2017 National Training Institute at the University of Michigan in Ann Arbor, Chris joined those representing the Tri-County JATC and proudly represented our area.

Congratulations Chris! We hope your experience was memorable!

CONGRATULATIONS TO THOSE COMPLETING UPGRADE CLASSES

Congratulations to the following individuals who have recently completed

classes offered through the apprenticeship program! We appreciate your commitment to the industry!

SIGNIFICANT CHANGES TO THE NEC

- Juan Torres
- Jose Moncada
- Will Nunes
- James Brown
- Nark Hiura
- Sergio Castillo



CPR/FIRST AID WITH BLOOD BOURNE PATHOGENS

- Jeff Beers
- Gerardo Espinoza
- Stevan Gamez
- BJ Heading
- Artemio Juarez
- Jorge Mendoza
- Chris Olsen
- Eric Quigley
- Al Randall
- Juan Rodriguez
- Jack Russo

APPRENTICE APPLICATION INFORMATION

The Tri-County Electrical JATC accepts applications on a year-round basis. For more information regarding the process, please click in the following link:

[JATC INFORMATION](#)



AVAILABILITY LIST UPDATE

On the Inside Out-of-Work List, there are 7 on Book 1, 40 on Book 2, 4 on Book 3 and 10 on Book 4. There are no Sound & Comm on any of the books at this time. There are 15 on CW Book 1 and 116 on CW Book 2. There are no Inside apprentices available for work at this time.



DEFINED BENEFIT PLANS ELECTRICAL WORKERS' PENSION VICTORY UNRABELED BY 9th CIRCUIT

A \$2.5 million victory for electrical workers who sued an underfunded pension plan over various withholdings was partly undone by federal appeals court (Lehman v. Nelson, 2017 BL 243320, 9th Cir., No. 15-35414, 7/14/17).

The IBEW Pacific Coast Pension Plan was wrong to withhold \$1 per hour from contributions made on behalf of “traveler” workers who were covered by different pension funds, the U.S. Court of Appeals for the Ninth Circuit held July 14. However, the district judge who ruled for the workers went too far in extending the ruling to withholdings made under a subsequent pension plan amendment, the Ninth Circuit said.

The class action is a challenge to pension plan amendments made under the Pension Protection act of 2006. That law allows critically underfunded pension plans to make certain changes to adjustable benefits as long as proper notice is given. The challenged amendments allowed the Pacific Coast plan to withhold at least \$1 per hour from all employer contributions to improve the plan’s funded status.

In this case, workers who traveled between pension fund jurisdictions said the plan wrongly interpreted these amendments to justify with holdings money from contributions that should have been forwarded to their home pension funds. The withholdings violated a national reciprocity agreement mandating that all employer contributions be forwarded to a worker’s home plan, according to the workers.

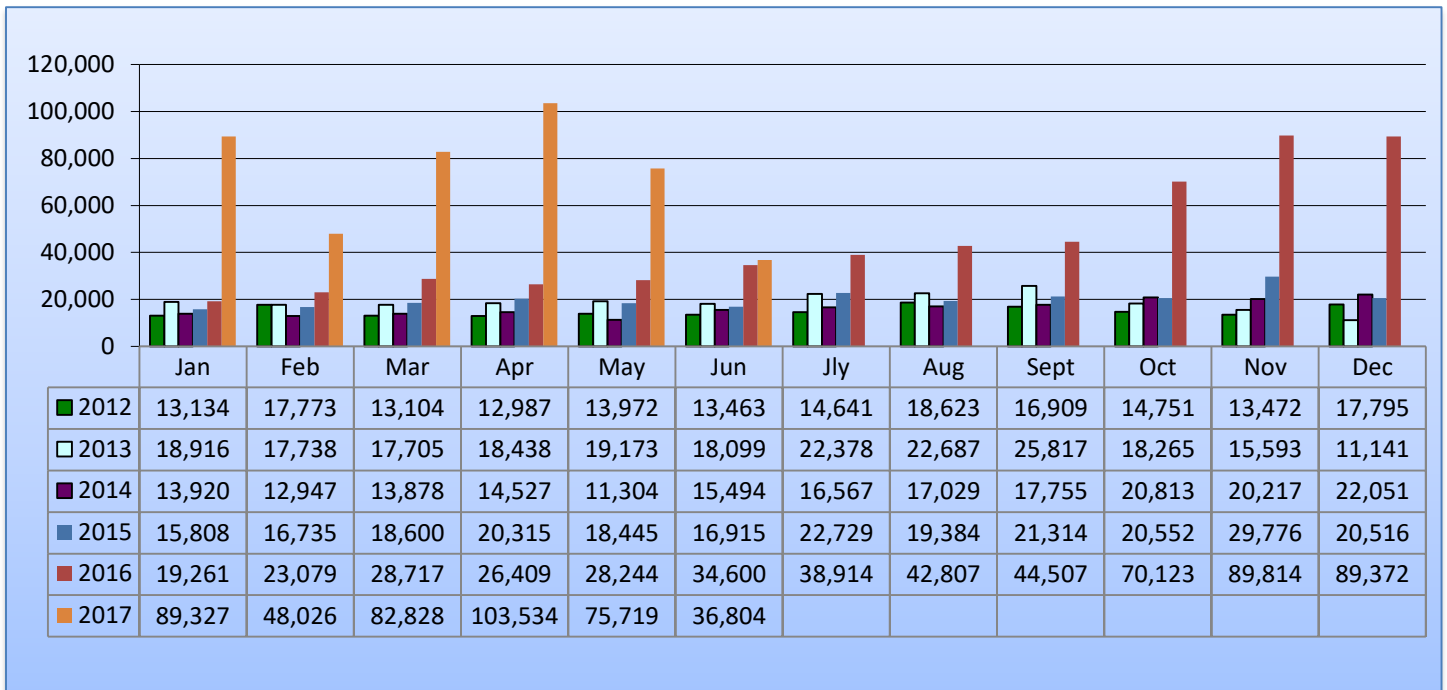
The Ninth Circuit said the disputed withholdings were made under two distinct plan amendments: one adopted in 2008 and one adopted in 2009. Although both amendments contained a similar withholding requirement, the worker who filed suit against the plan was only subject to withholdings made under the 2009 amendment. That’s because the plan wasn’t properly on notice that these withholdings were at issue, and thus it didn’t have an opportunity to defend this claim, the Ninth Circuit said.

Given this, the Ninth Circuit said the district judge was wrong to extend his decision regarding the 2008 amendment to withholdings made under the 2009 amendment. That’s because the plan wasn’t properly on notice that these withholdings were at issue, and thus it didn’t have an opportunity to defend this claim, the Ninth Circuit said.

The Ninth Circuit sent the case back to the district court for further review. It also undid the workers’ award of attorneys’ fees.

Judge Morgan Christen wrote the opinion, which was joined by Senior Judge Dorothy W. Nelson and Judge Milan D. Smith Jr. Davis Wright Tremaine LLP represents the workers. Urban Law Firm represents the pension plan trustees.

INSIDE MONTHLY HOURS REPORT





July 29-August 4, 2017
National Training Institute
University of Michigan
Ann Arbor, MI

September 12, 2017
General Membership
&
Board of Directors Meeting
California Grill
Watsonville, CA

October 7-10, 2017
NECA Convention
Seattle, WA

October 21, 2017
Local #234 Family BBQ
Toro Park – Buckeye Area
Salinas, CA

December 1, 2017
NECA Christmas Party
La'el Vineyards Barn
Tres Pinos, CA
By invitation only