

THE MONTEREY CURRENT

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US DOL FINAL RULE REQUIRING PAID SICK LEAVE

The U.S. Department of Labor announced a [final rule](#) today to a [NECA-opposed Executive Order](#) requiring federal contractors to provide paid sick leave (**not less than one (1) hour of paid sick leave for every 30 hours worked**) to employees who work on or in connection with certain federal contracts. The rule will allow these workers to use paid sick leave if they are sick, need to take care of a sick family member or must see a doctor or take a family member to a medical appointment. Workers may also use paid sick leave for reasons related to domestic violence,

sexual assault or stalking.

The final rule applies to all covered contracts solicited and awarded on or *after* Jan. 1, 2017.

NECA is currently reviewing the final rule to fully determine the impact on our contractors who perform federal work. Based on our initial read of the 466-page rule, please note the following provisions:

- Contractors shall provide pay and benefits for paid sick leave used no later than one pay period following the end of the regular pay period in which the paid sick leave was taken.
- Prime contractors and upper-tier subcontractors shall be responsible for the

compliance by any subcontractor or lower-tier subcontractor.

- The rule does NOT excuse noncompliance with or supersede any applicable Federal or State law, any applicable law or municipal ordinance, or a collective bargaining agreement requiring greater paid sick leave or leave rights than those established under the Order – Essentially, our contractors, **even though they are parties to collective bargaining agreements,** must comply with the minimum requirements of the rule. The Federal rule sets the minimum bar for paid sick leave. If a state or local law requires a contractor provide the equivalent 56 hours of leave or exceeds that amount, the contractor is viewed to be in compliance.

- Failure to comply with the requirements of this clause may be grounds for termination of the contract work. In such event, the Government

may enter into other contracts or arrangements for completion of the work, charging the contractor in default with any additional cost. A breach of the contract clause may be grounds for debarment as a contractor and subcontractor.

- Contractors must maintain, and make available to the Federal Wage and Hour Division, for a period no less than three (3) years from the completion of the work on the contract, records containing paid sick leave information.

- Contractors shall flow-down this requirement in all of its covered subcontracts and shall require its subcontractors to include this clause in any covered lower-tier subcontracts.

To help provide more clarity to our members nationwide, we will hold and we encourage you and your contractors to attend a host a special Preconvention Workshop, *Federal*

Rules: Paid Sick Leave and Fair Pay and Safe Workplaces on Friday, October 7th from 1- 5 PM in Room 157A at the Convention Center. This session will feature Brian Wood, a construction law attorney from the firm of Smith, Currie, & Hancock, who will discuss both the Paid Sick Leave and the Fair Pay and Safe Workplaces federal rules, which NECA has been following since their introduction. Mr. Wood will explain the contracts and subcontracts covered, the recordkeeping requirements your company will have to comply, and the potential implications of any perceived violations. In addition, the 2016 Election and Regulatory Update will be held on Saturday, October 8th at 8:00 AM in Room 157B and 157C at the Convention Center. We will provide a detailed look at the upcoming Presidential and Congressional election and discuss NECA's priorities, then Brian Wood of Smith,

Currie & Hancock will offer insight into the impact of the administration's regulatory agenda.

The final rule implements [Executive Order 13706](#), signed by President Obama on Sept. 7, 2015. According to a statement by Secretary of Labor Tom Perez, when fully implemented, the final rule will:

- Provide up to 56 hours of paid sick leave per year to an estimated 1.15 million employees of federal contractors, including an estimated 594,000 employees who currently receive no paid sick leave.
- Ensure that employers have choices in how to best adapt the paid sick leave requirement to their businesses. For example, employers can choose to allow workers to accrue leave over time, or to frontload leave for ease of administration.
- Include flexibilities related to integration

with employers' existing paid time off policies and leave provisions in existing collective bargaining agreements.

- Improve the health and performance of employees of covered federal contractors and brings benefits packages offered by those federal contractors in line with leading firms, ensuring they remain competitive in the search for dedicated and talented employees.
- Protect the public health by ensuring that covered federal contractors' employees, customers and clients are able to stay home when they are sick.

For more official details, please visit the DOL web site and read "Fact Sheet: Final Rule to Implement Executive Order 13706, Establishing Paid Sick Leave for Federal Contractors," and Frequently Asked Questions available at <http://www.dol.gov/whd/govcontracts/eo13706/>



CA CHANGE ORDER REFORM A REALITY

On Thursday, September 29, 2016, Governor Brown signed AB 626 our "change order" reform legislation. The NECA sponsored measure implements a fair and responsible process, that requires agencies to respond to a contractor's claim for "extra work" timely, pay the undisputed portions of claims and provides a path for expedited settlement of disputed claims.

This is a major victory for contractors. We would like to thank Assembly Member David Chiu for championing this important cause and the other trade associations and our labor partners for their hard work and support on this issue.

The new law will take effect January 1, 2017 and will apply to all contracts entered into on or after that date.

Our continued success in Sacramento is a reflection of your support. Congratulations on this triumph!

A copy of the new law can be found here: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB626



CALIFORNIA EDD NEW EMPLOYER REQUIREMENTS FOR 2017

Assembly Bill (AB) 1245 (Chapter 222, Statutes of 2015) requires all employers to electronically file their employment tax returns, reports, and payments to the Employment Development Department (EDD) beginning January 1, 2017.

AB 1245, authored by Assembly Member Ken Cooley and sponsored by Small Business California, will be phased in over two years to offer employers ample time to prepare.

Employers with 10 or more employees will become subject January 1, 2017, and all other employers will be subject January 1, 2018.

AB 1245 contains a provision for a hardship waiver for employers who are unable to file returns, reports, and payments electronically.

Employers can enroll now in the EDD e-Services for Business to fulfill these requirements. No specialized software is required – all you need is access to the Internet and a computer, tablet, or smartphone.

The EDD e-Services for Business offers employers more accurate reporting in a secured data environment and online account management tools available 24 hours a day, 7 days a week.

New Employer Requirements for 2017 Additional benefits for reporting electronically include:

- Reduces errors that are common with paper forms.
- Protects data through encryption that is safer and more secure than paper forms.
- Provides an automated receipt so employers immediately know their return, report, or payment was received.
- Saves time by saving basic account information for future transactions.
- Allows employers to easily update account information.
- Reduces paper and mailing cost.

For more information or technical assistance in making the transition to e-Services for Business, visit the e-Services for Business website or contact the EDD Taxpayer Assistance Center at 888-745-3886, Monday through Friday, 8 a.m. to 5 p.m. (Pacific Time).



MESSAGE FROM MILWAUKEE TOOLS REGARDING NECA CONVENTION

[Click here](#) for a message from Bill Hughes, Vice President of Milwaukee Tools about the upcoming convention in Boston. Be sure to visit their booth at the Tradeshow!





Basic Estimating of Electrical Construction

Small Mistakes in an estimate can have a huge impact on your bid's bottom line and this course provides the tools needed to be both comprehensive and competitive. This course will discuss the process for assembling an estimate including: developing material lists, applying labor unit data, material takeoff and application of direct job costs, overhead and profit.

Date: Monday - Thursday, January 9th - 12th, 2017

Time: 8:00 AM - 4:00 PM

Location: IBEW Local 595 Union Hall

6250 Village Parkway, 2nd Floor, Dublin

Cost: \$990.00 - NECA

Members \$1,100.00 Non-NECA Members

[Attached](#) is the registration form. Please contact [Juanita Mitchell](#) with the Chapter office should you have any questions.



UPCOMING CLASSES OFFERED THROUGH THE JATC

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 coordinated with those in 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.

MOTORS

Don't forget the drop in Motor's class held the third Tuesday of each month with Instructor Dave Martinez. Classes start at 5:30. The October class will be held on October 18th and is a 3 hour class.

CPR/FIRST AID CLASS

Since First Aid/CPR language has been added to the Inside Agreement and will now be a requirement, the JATC has decided to offer it more regularly. The next class is scheduled for Saturday, November 5th from 8 am to 1 pm. Roni Jane Sudyka will be the trainer and the class is always well received. Blood borne pathogens will also be covered. Please call Stacy to sign up and to inquire about the additionally scheduled dates.

OSHA 30

AN OSHA 30 class, with instructor Stephen Slovacek is scheduled to begin on Friday, October 20th from 5:00 to 9:00 pm, The class will meet for a total of six classes. For details and dates scheduled as well as to sign up for the class, please contact Stacy at the JATC office.

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.

CONGRATULATIONS TO THOSE WHO HAVE COMPLETED UPGRADE CLASSES

Congratulations to the following individuals who have recently completed classes offered through the apprenticeship program! We appreciate your commitment to the industry!

CPR/FIRST AID WITH BLOOD-BORNE PATHOGENS

- John Barber
- William Beauchamp
- Alex Clayton
- Thomas Durham
- Andy Hartmann
- Glenn Herrera
- Alvin Keller
- Robert Langley
- Steve Luiz
- Ryan Porter
- Richard Stone
- Zach Moore
- Irlisis Rodriguez
- Michael Steel

- Richard Edwards

MOTORS

- Mark Hiura

JATC APPLICANT TEST SCHEDULED

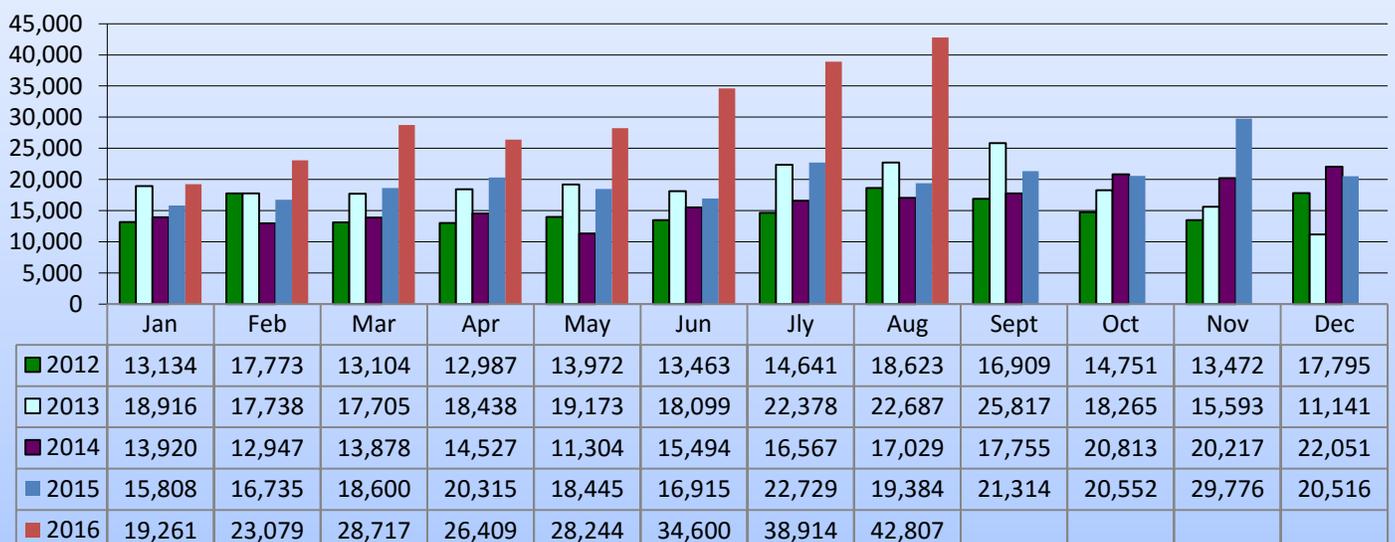
The Tri-County Electrical JATC accepts applications on a year round basis. For more information regarding the process, please click in the following link:

[JATC INFORMATION](#)

AVAILABILITY LIST UPDATE

On the Inside Out-of-Work List, there are 5 on Book 1, 72 on Book 2, and 9 on Book 3. There are none on the Sound & Comm, book at this time. There are 27 CWs on Book 1 and 192 on Book 2. There are no Inside apprentices available for work at this time.

INSIDE MONTHLY HOURS REPORT



UPCOMING EVENTS CALENDAR



October 7-10, 2016

NECA Convention
Boston, MA

October 31-November 3, 2016

Chapter Executives Institute
Chicago, IL

November 8, 2016

Election Day

November 9-11, 2016

Fall Regional Seminar
Electrical Training ALLIANCE
Las Vegas, NV

November 11, 2016

Veterans' Day Holiday

November 2-6, 2016

Executive

December 2, 2016

Chapter Christmas Party
(Invitation Only Due to Limited Space)