



October, 2017

INSIDE THIS EDITION:

Recent Change to CA Public Works Laws Through SB-96

Politico Update

NECA STAR Offers Online Payment Option – It Bears Repeating!

CA Governor to Mull Contractor Liability for Unpaid Wages

Headed to Seattle?

Classes Offered through JATC

Congratulations to Those Completing Classes

LU #234 Availability List

Calendar of Events



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TO BENEFIT ... PARTICIPATE!

RECENT CHANGES TO CA PUBLIC WORKS LAWS THROUGH SB-96

California recently passed a budget trailer bill, Senate Bill 96, which made some important changes to the Labor Code and the manner in which the Labor Commissioner enforces compliance with public works laws.

SB-96 became effective on July 1, 2017. I increased the annual registration fee for public works contractors from \$300 to \$400. Beginning on June 1, 2019, contractors will have the option of renewing their annual registration for up to three years at a time. These changes are in Labor Code Section 1725-5(a)(1). [Read more here.](#)

(Taken from Weinberg Roger & Rosenfeld Newsletter - 9/5/2017)

POLITICO ALERT

10000 PoliticoOnline.com "Connecting you to California" 1127 11th St, Suite 747 / Sacramento, CA 95814 / (916) 444-3770 / FAX (916) 442-4437

POLITICO UPDATE

SB 465 Follow Up - Does a Contractor's History of Legal Settlements in CA Indicate Poor Workmanship?

Should every legal settlement, arbitration and judgement that your company has been involved in be publicly posted online by the Contractors State Licensing Board (CSLB)? This is the public policy question being asked after the Berkeley balcony collapse tragedy in 2015. It was later revealed that the contractor who built the apartment building in question had a prior history of being involved in multiple construction defect settlements. The California Legislature has tasked the CSLB to determine if this information could be used to better protect consumers in the future if it were to be made



publicly available online for every contractor in the state. You may remember SB 465 from the 2016 legislative session. That measure originally would have required reporting of all settlements, arbitrations and judgments to the CSLB. The measure was amended to a study bill at our request.

The survey below is intended to help CSLB establish if this information is helpful in their consumer protection directive. NECA and other statewide contractor organizations have testified that this potential “metric” ***is not a*** good indicator of contractor competence or responsibility. Here’s why:

- **Everybody Gets Sued in Construction Defect Claims** -- Construction defect claims often include every contractor on a job regardless of their involvement in the disputed work. Lawyers’ hunt for deep pockets - \$\$\$ is a big reason; and
- **Insurance Companies Compel Settlements Regardless of a Contractor’s**

Innocence -- Insurance companies often encourage settlement regardless of a contractor’s work being in question due to the excessive cost of litigation in California. “Get out early, get out cheaper” is the mantra;

- **Settlements Do Not “BAD CONTRACTOR”** – Due to the litigious nature of lawyers in California, there is not necessarily a linkage between the number of legal actions a contractor has been involved in and the competence or responsibility of that contractor. It may mean nothing more than that contractor has performed a lot of work in California.

If you are concerned about the prospect of having to divulge all your company’s litigation history to the CSLB and this information being publicly posted online, please take a moment to respond to the CSLB questionnaire below. All responses are anonymous.

Your voice is important to CSLB!

Today, we’re asking for your input on a significant issue.

We are in the process of putting together a report for the state Legislature under Senate Bill 465 (Hill). The report will look at whether CSLB’s consumer protection mission would benefit by requiring licensed contractors to report specific court judgments, arbitration awards, and settlements.

We’re asking that you please give us five minutes or so of your time to complete a survey which will be an important component of the report.

Your answers are completely anonymous. You will not receive any further contact from CSLB or any other party based upon your taking this survey.

Please take the survey that best applies to your situation:

[I am a Licensed Contractor](#)

[I used to be a Licensed Contractor](#)

[I am a Consumer](#)

[I work for an Insurance Company](#)



**NECA STAR OFFERS
ONLINE PAYMENT
OPTION
IT BEARS REPEATING!**

The Board of Trustees of the IBEW Local 234 Health and Welfare Plan is pleased to announce that effective with payments made on or after September 1, 2017, you will now have the option to pay your monthly remittance by ACH. ACH payment options will be available in addition to check payments.

Please see below for a brief description of the three payment methods now available:

1. **Auto ACH** – (The Fund Office “pulls” payment from YOUR

account) Using this option, payment in full for the total due on the report will be automatically debited from your account. There are no fees for using this service.

Note: the **Auto ACH** method requires a signed authorization form for permission to withdraw funds from your bank account on an ongoing basis. The amount withdrawn will equal the exact total amount due on each report. Enclosed is an Employer ACH Authorization Form.

2. **Manual ACH** – (YOU “push” payment to the Fund Office) Using this option, you agree to manually initiate an ACH payment directly from your bank’s online system. Your bank may assess you fees for using their ACH service.

If you wish to use the **Manual ACH** option, please contact the Contributions Department for the Plan’s ACH payment information.

3. **Check** – The traditional payment option. Send your payment in the mail.

If you should have any questions regarding this notice, please contact the Fund Office at (877) 885-3753. We hope that you will find these new options helpful.



**CALIFORNIA
GOVERNOR TO MULL
CONTRACTOR
LIABILITY FOR
UNPAID WAGES**

Contractors would be responsible when one of their subcontractors fails to pay wages, under a bill on its way to California Gov. Jerry Brown’s desk. A.B.1701, by Assemblyman Tony Thurmond, would hold contractors and subcontractors jointly liable for wages and benefits owed to employees.

Employees who are owed pay or a joint labor management cooperation committee could file a lawsuit to enforce the rules. The California labor

commissioner could also file a lawsuit or enforce the rules administratively, according to a legislative staff analysis of the bill. Contractors and subcontractors would have 30 days to cure violations and pay the employees once they are notified, according to lawmakers.

The California Building Industry Association opposed the bill until Thurmond pledged to pass legislation in 2018 to delete a provision of the bill that could expose contractors to penalties and liquidated damages in addition to liability for unpaid wages and benefits. The change would need to happen in 2018 because the bill was too far along in the Legislature to amend at the last minute.

In a September 14th letter to Brown, the CBIA said it has removed its opposition to the bill. The measure has support from California Conference of Carpenters, the California Labor Federation, and the California State Building and Construction Trades Council.

The bill won a final vote of 62-15 from the Assembly September 13th to concur in amendments taken in the Senate. It passed the Senate 25-12 September 6th and first passed the Assembly in May. Brown has until October 15th to sign or veto the bill. He hasn't taken a position on it. California lawmakers adjourn for the year September 15th and will reconvene in January.



HEADED TO SEATTLE?

QUICK FACTS:

- What to Wear: business casual, comfortable shoes recommended
- Opening Reception: cocktail party serving heavy hors d'oeuvres, open bars; cocktail attire. Bus transportation provided.
- Closing Celebration: Showbox SoDo; Concert attire

- Airport: Seattle-Tacoma International
- Taxi fare from Airport to Hotels: ranges from \$25 to \$30 (plus tip)
- Convention Center: Washington State Convention Center



UPCOMING CLASSES OFFERED THROUGH THE JATC

STATE CERTIFICATION PREP CLASS

Instructor Will Piper will be teaching a preparation class for the General Electrician State Certification exam. The next class is scheduled for Tuesday, October 10th from 5-7pm. Call Stacy at (831) 633-3063 to reserve your place.

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 **October 28, 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 **October 17, 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@tricityjatic.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.

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

- Stevan Gamez
- Jim Brown
- Sergio Castillo
- Jonathan Stanley
- Jose Moncada
- Robert Rovella
- Ulises Mendoza
- Abraham Adams Jr.
- Bryon Borchard
- Hector Camacho
- Brian Sabado
- Brian Stanley

CPR/FIRST AID WITH BLOOD BOURNE PATHOGENS

- Wallace Barnes
- Will Clough
- Brad Conger
- Kyle Evans
- Nick Karakas
- Beau Kelly
- Cody Mahler
- Francisco Mundo
- Carlos Prado
- Gilbert Sanchez

COMET

- Nick Luczak
- Nick Karakas
- Will Cloug
- Israel Andrade
- Sam Martinez
- Austin Pless
- Jaime Hernandez
- Wallace Barnes
- Bryan Scott

- Scott Benson
- Beau Kelly
- Chris Swim
- Ruben Lozano
- Gerardo Espinoza
- Joshua Haupt
- Ruben Rodriguez
- Gilberto Espindola
- Ashley Gibson
- Stevan Gamez
- Jacob Taylor

STATE CERTIFICATION PREP

- Antonio Castro
- Marcus Gaeta
- Stevan Gamez
- Erik Henry
- Francisco Lopez
- Chris Lucero
- Ulises Mendoza
- David Morales
- Ricardo Morales
- Francisco Mundo
- Daniel Ortigoza
- Aladdin Preston
- Jaime Talingo
- Ramon Torres
- Berardo Trujillo
- Ronald Zych

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](#)



ARE YOU PREPARED FOR AN EMERGENCY?

Emergencies in the workplace cannot be eliminated, but if you have an emergency action plan (EAP) in place and have trained workers to respond quickly and appropriately you can optimize efficiency, relieve anxiety, and in some cases, save lives.

Management commitment and worker involvement are essential to an effective emergency action plan. The action plan should be explained to workers and reviewed whenever the plan or responsibilities change. How good is your emergency action plan? Find out by asking yourself and your workers the following questions:

General:

- Is there a means of reporting emergencies and accounting for personnel before and after an incident?
- Who is the person responsible for decision-making during emergency conditions?

- Does everyone in the workplace know the procedures to follow in various emergency scenarios (e.g. fire, explosion, earthquake, chemical spill or workplace violence, etc.)?
- Do workers know the escape routes and evacuations procedures including where to reassemble for a headcount or for further instruction?
- Do workers know where emergency supplies are located?

Medical:

- Do workers know how to respond in the event of a medical emergency?
- Are there workers trained in cardiopulmonary resuscitation (CPR) and first aid?
- Does the worksite have first aid equipment which corresponds to the possible injuries workers may encounter? (e.g. emergency wash stations, personal protective equipment, oxygen tanks, ice packs, etc.)
- Are emergency response phone numbers (fire department, ambulance, medical facility, etc.) clearly posted where they can be readily accessed?

Fire:

- Does the worksite have fire extinguishers that the fire hazards?
- Have workers practiced using the fire extinguishers so that they're aware of their operation and limitations?

- Have the fire extinguishers been recharged within the last year? (They must be tagged to indicate the recharge date).

Spills:

- Does the worksite have absorbent material that matches the quantity and type of chemicals which could spill?
- Do you have relevant personal protective equipment that would be needed to respond to a chemical spill?
- Have workers been properly trained in how to safely respond to a chemical spill?

Once you have established your emergency action plan, make sure workers are trained and retrained in the possible emergencies they

may encounter, the emergency procedures they should follow, any first aid or rescue procedures, and in the location of emergency response equipment and phone number. In an emergency, an immediate and educated response can save individual lives, the business operation, and thousands of dollars in potential losses.

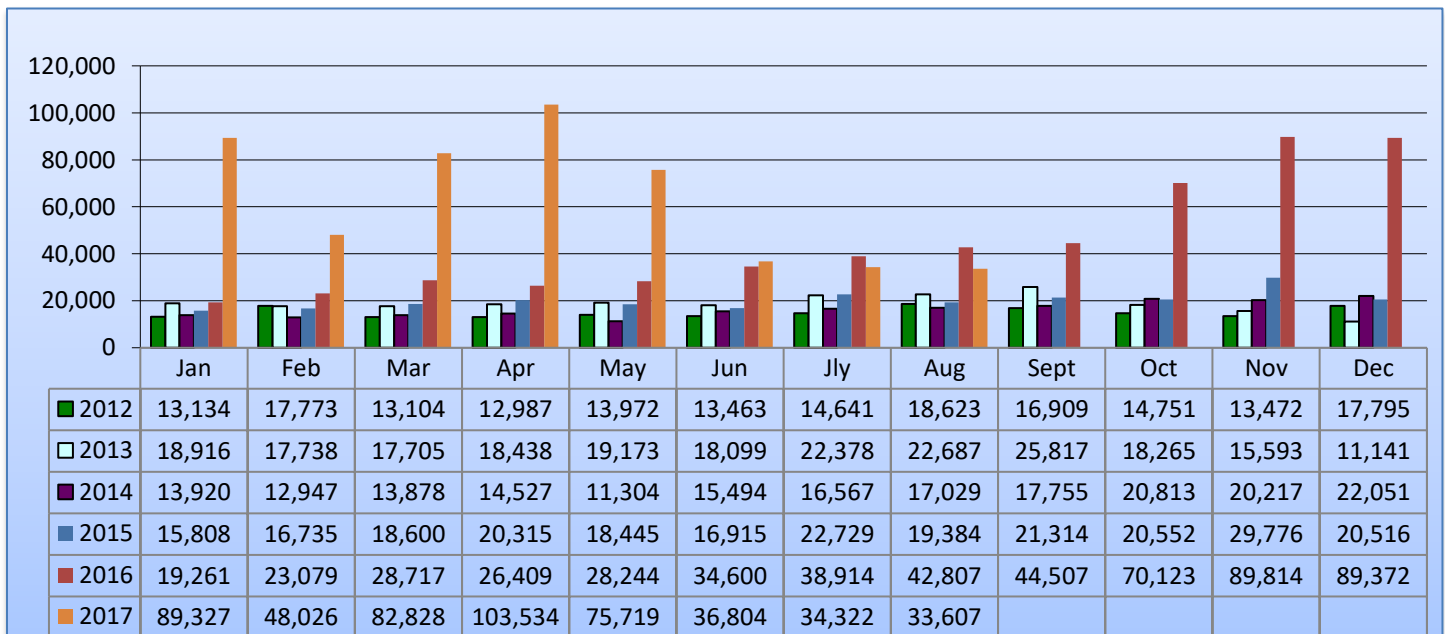


AVAILABILITY LIST UPDATE

On the Inside Out-of-Work List, there are 6 on Book 1, 21 on Book 2, 14 on Book 3 and 8 on Book 4. There are no Sound & Comm on any of the books at this time. There are 7 on CW Book 1 and 37 on CW Book 2. There are 6 Inside apprentices available for work at this time.



INSIDE MONTHLY HOURS REPORT



of its members. Although we make every effort to verify information, its Directors, Staff and members make no warranty or accuracy.



October 7-10, 2017

NECA Convention
Seattle, WA

October 21, 2017

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

November 4, 2017

JATC Interviews

November 10, 2017

Veterans' Day Observed

November 23-24, 2017

Thanksgiving Holiday

December 1, 2017

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

December 25, 2017

Christmas Day