



## New Law Will Complicate Things in 2015

*"Effective July 1, 2015 California will be the second U.S. State to Mandate Paid Sick Leave for All Employees State-Wide."*

At about this time every year, we pass along the California Chamber of Commerce list of [New Employment Laws Affecting Business](#) for the subsequent year. In 2015, our most immediate concern is the Mandatory Paid Sick Leave, which promises to present some unique challenges. Last fall our legislative advocate, Eddie Bernacchi, published a [Politico Alert](#) outlining the highlights of the program. Despite our opposition, the state legislature passed the bill, and Governor Brown, our only hope for any sort of "adult supervision" of the legislature, signed the bill into law on September 10, 2014.

### Here is how we see this unfolding in the NECA-IBEW Electrical Industry:

- ⇒ If you read the actual language in [AB1522](#), you will quickly come to realize this is not "Paid Sick Leave," but rather "Paid Time Off." Since there is no requirement that the employee actually be ill, and you can not deny an employee the right to use accrued sick days, you are going to have to build this impact into your pricing one way or another. Human nature, being what it is, finds most people today taking advantage of benefits they accrue.

- ⇒ Since the payment of benefits is based on the employees normal wage, there is a disparate impact for our signatory employers relative to their non-IBEW competitors. There is also a rebuttable presumption of unlawful retaliation on the employer if they deny a request for paid sick leave.
- ⇒ NECA was able to get a delayed implementation for construction industry signatory employers for agreements entered into before January 1, 2015. This means it will not apply to employees working under our Sound and Communication Agreement until the expiration of that Agreement in November of 2017. Since our Inside Agreement expires on May 31, 2015, we will need to successfully deal with this in negotiations with Local 302 next year or it will apply to your Inside personnel in July.
- ⇒ There is an outside chance that NECA and IBEW could arrive at a common solution for all of our industry on either a statewide basis or on a northern California basis, but I have to tell you that is a long shot at this point. Our provincial structure and the delayed implementation mentioned above will work against us in this regard. Nonetheless, we have some ideas on how this might work, and we will make a run at it.
- ⇒ If we are not able to arrive at a common solution on an aggregate basis, it will be up to each Chapter/Local Union to develop their own solution. If an area is unable to resolve this, it will fall back to the state-mandated program, which will then mean a hodge-podge of different solutions on a Local by Local basis. This will be an issue for our members that execute work simultaneously in multiple jurisdictions.
- ⇒ If we are not able to arrive at a solution in aggregate or locally, be aware of the 'Santa Claus effect.' Most NECA-IBEW health plans have plan deductible years that coincide with the calendar year. Since accrual is limited to six days, it is hard to imagine a scenario where employees do not utilize time they would otherwise lose at the end of the year for doctors/dentist appointments. They would receive their normal pay without the corresponding production. This will hit in what is typically one of the slowest months for billings for our employers.

- ⇒ **Regardless of what happens with your bargaining-unit employees, the new provisions will apply to your non-bargaining employees on July 1. Some of our larger members have well-defined sick pay policies in place for their office staff. For many of our smaller employers, not so much. If you have a policy, you will need to make sure that the accrual, carryover and benefit structure provided by your program meets or exceeds the new requirements. Most payroll systems have the ability to accrue sick pay as a benefit. When you receive your 2015 update from your software vendor or payroll service, you should inquire whether it is compliant with the provision that requires the employer to include the accrued balance of sick pay on the employees wage statement, or you will have to provide a separate document for each employee at each pay day beginning in July.**
  
- ⇒ **There are unique aspects to the new regulation unlike any other existing requirement imposed by state or federal law. Unlike health care, the new law applies to all employees — even part time employees. Unlike vacation, there is no requirement that it be paid out on termination of employment. Unlike Paid Family Leave, it is not a benefit paid by the state through an insurance program (SDI).**
  
- ⇒ **Beginning January 1, 2015, employers are required to post in a conspicuous place at the workplace, a poster containing the following information: (1) that an employee is entitled to accrue, request, and use paid sick days; (2) the amount of sick days provided for and the terms of use of paid sick days; (3) that retaliation or discrimination against an employee who requests paid sick days or uses paid sick days or both is prohibited; and (4) that an employee has the right under this law to file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against an employee. The new law required the Labor Commissioner to develop a poster, and it is now available for download [here](#).**

⇒ After January 1, 2015, employers are required to provide most employees with an individualized “Notice to Employee” (required under Labor Code section 2810.5) that includes paid sick leave information. This form is available for download [here](#). A revised Notice to Employee form must be used for employees hired after January 1, 2015, and is optional for use prior to the January 1, 2015 effective date. Use of the revised form prior to January 1, 2015, will be deemed compliant with the new requirement as of January 1, 2015.

***Answers to frequently asked questions pertaining to this new “Paid Sick Leave Law” are available at [http://www.dir.ca.gov/dlse/Paid\\_Sick\\_Leave.htm](http://www.dir.ca.gov/dlse/Paid_Sick_Leave.htm). As we move closer to summer we will be providing more information along with our strategy for implementation.***

CONTRA  
COSTA  
COUNTY &  
THE  
INCORPORATED  
CITIES  
THEREIN

*Electrical  
Code  
Interpretations  
Committee*

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**Electrical Code Committee to Sponsor:**




**January 23, 2015**

**Zio Fraedo's Restaurant  
10:30 a.m.—1:30 p.m.**

On Friday, January 23rd, the Electrical Code Committee will sponsor a seminar focusing on the new electrical requirements of Title 24. The program is open to all Building Officials/Inspectors/Planning Department personnel, as well as any of our contractors and their office personnel. There is noticeably inconsistent enforcement of the new standards — especially in the area of lighting. We are sponsoring this program to try to get everyone on the same page.

Since its inception in the late 1960's, the purpose of the Electrical Code Interpretations Committee has been to work toward a uniform interpretations of the National Electrical Code and related requirements.

Our January 23rd program will be held at Zio Fraedo's Restaurant in Pleasant Hill beginning at 10:30 a.m. and will conclude by 1:15 p.m. A working lunch will include a question and answer period.

 If you plan to attend or send others from your firm, we ask that you let us know in advance so that we can make proper arrangements for the presenters, Ron France from Leviton and Chris Smith from NECA-IBEW Statewide LMCC.

**CLICK HERE TO  
RSVP NOW**





## **Contra Costa Chapter**

# **Membership Meeting**

*January 29, 2015*



The next regular meeting of the Chapter Membership will take place on Thursday, January 29, 2015, beginning with cocktails at 6:00 p.m. at Zio Fraedo's Restaurant in Pleasant Hill.

Pursuant to the Chapter Bylaws, an election will be held at the January meeting to fill three positions on the Chapter's Board of Directors. The terms of Casey Dias, Michael Dias, and Sean McPeak will expire in January 2015. The Chapter Nominating Committee of Jim Szuch and Randy Weber have renominated Casey, Michael, and Sean. Additional nominations may be made by any member in good standing. As is the case in all Chapter matters requiring a vote, only the accredited representative or designated alternate will be eligible to vote at the January meeting.

We will also be extending an invitation to our January meeting to all non-member signatory employers that are based in Contra Costa County to introduce them to NECA with the hopes of eventually bringing them into membership. Toward that end, we have also extended an invitation to Mike Bryant, our Field Representative for NECA, Inc. representing the Northern California area to make a presentation called "Overview of NECA and It's Services." This presentation is making the rounds throughout the country and should be equally enlightening for all of our existing members, providing a comprehensive overview of the many things that flow from your dues dollars and how NECA is working on your behalf to represent your interests in just about every venue imaginable.



*Mike Bryant*

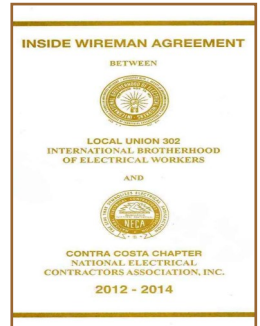
Please make every effort to attend our January meeting, and if you know a signatory contractor that is not yet a member please extend a personal invitation to them to attend with you. Our membership meetings are paid for by the Chapter and feature good eats and good info. If you are not attending on a regular basis, you are missing what I believe to be one of the most important aspects of NECA membership: Finding Out What Your Peers Are Doing!

## **Important Notice**

### **To Employers Signatory To The Wireman's Agreement**

On May 31, 2015, our Inside Wireman Agreement with Local 302 will expire. The Chapter intends to negotiate a successor agreement that will be binding to all employers signed to a Letter of Assent A. The process begins in late February and will conclude by the end of May. The new agreement will become effective on June 1, 2015.

As a practical matter, this is not an issue for most of our employers. However, if you intend to terminate your relationship with the IBEW, you must do so in a timely manner. For employers signed to a Letter of Assent A, notification must be sent to the Chapter that you are withdrawing our bargaining rights, and to the Local Union that you are terminating the agreement, prior to the end of December 2014. For employers signed to a Letter of Assent B, the notification to the union must be sent prior to February 20, 2015. Since bargaining is a complicated legal process, an employer choosing to terminate should not do so without competent legal counsel.



If you have any specific items you would like addressed during the 2015 Inside negotiations, please contact Mike Geller at the Chapter Office.

## **IRS Announces 2015 Standard Mileage Rates**

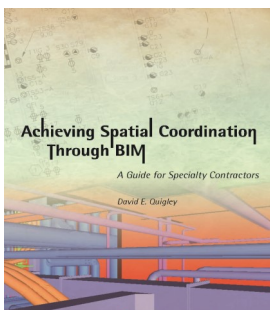
### **Business Rate Increases**

On December 10, 2014, the Internal Revenue Service issued the 2015 optional standard mileage rates used to calculate the deductible costs of operating an automobile for business, charitable, medical or moving purposes. Beginning January 1, 2015, the standard mileage rates for the use of a car (also vans, pickups or panel trucks) will be 57.5 cents per mile for business miles driven (up from 56 cents in 2014).

[Click here to read full article.](#)

## **Achieving Spatial Coordination Through BIM:**

### **A Guide for Specialty Contractors**



Index No. SCBIM-2013

If you have not yet had exposure to Building Information Modeling in your previous experience, you should expect to be challenged with quickly getting up to speed at some point in the immediate future. Even if you are very familiar with the inner workings of BIM, you may have new personnel that need a quick introduction to the overall process. *"Achieving Spatial Coordination Through BIM"* is a industry-recognized publication jointly developed by NECA, SMACNA and the MCA. In fact, as NECA/IBEW Training Programs across the country introduce BIM into their classes, it is considered the primary reference publication.

We highly recommend you obtain your free copy from NECA as soon as possible. You may order from the [NECA STORE](#) or just contact Sharon at the Chapter office ([sspare09@sbcglobal.net](mailto:sspare09@sbcglobal.net)).



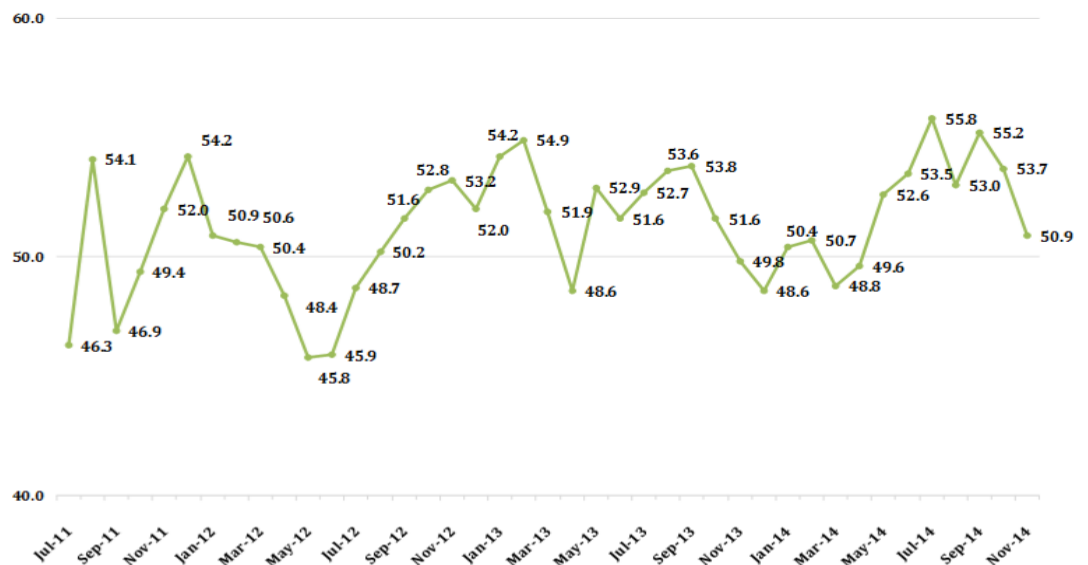
# Demand Softens, but Outlook for Architecture Billings Index Remains Positive

Buoyed by sustained demand for apartments and condominiums, coupled with state and local governments moving ahead with delayed public projects, the Architecture Billings Index (ABI) has been positive for seven consecutive months. As a leading economic indicator of construction activity, the ABI reflects the approximate nine to twelve month lead time between architecture billings and construction spending. The American Institute of Architects (AIA) reported the November ABI score was 50.9, down from a mark of 53.7 in October. This score reflects a slight increase in design activity (any score above 50 indicates an increase in billings). The new projects inquiry index was 58.8, following a mark of 62.7 the previous

[read more »](#)

## November ABI 50.9

Any score above 50 indicates an increase and score below indicates a decline.



## SYNERGY eLinks

[Sound and Communications Wage and Cost Per Hour Sheets](#)

[Assembly Bill 1522 \(Paid Sick Leave\)](#)

[District IX General Membership & Council Meeting,  
Montage Laguna Beach, CA](#)

[New Employment Laws Affecting Business  
for the Subsequent Year](#)

[NECA - Electrical Contractors of California Trust  
2014 End of Year Legislative Report](#)

[Politico Alert](#)

[NEBF  
Notice of Summary Plan Information for the National  
Electrical Benefit Fund](#)

[Sick Leave Poster](#)   [Frequently Asked Questions](#)

[Personal Best](#)





## Contra Costa Chapter

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[www.ccneca.org](http://www.ccneca.org)

### CONTRA COSTA CHAPTER, NECA—IBEW LOCAL 302 INSIDE WIREMAN

### 2015 HOLIDAY SCHEDULE

<b>January</b> S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	<b>February</b> S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	<b>March</b> S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	<b>April</b> S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
<b>May</b> S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	<b>June</b> S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	<b>July</b> S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	<b>August</b> S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29
<b>September</b> S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	<b>October</b> S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	<b>November</b> S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	<b>December</b> S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

<i>Inside Wireman</i>	
January 1	New Years Day
January 2	Off-Day
January 19	Martin Luther King Day
February 13	Off-Day
February 16	Presidents Day
May 22	Off-Day
May 25	Memorial Day
July 3	Independence Day
September 4	Off-Day
September 7	Labor Day
November 26 & 27	Thanksgiving
December 25	Christmas



Sun	Mon	Tue	Wed	Thur	Fri	Sat
				1 NEW YEARS DAY HOLIDAY	2 Off-Day	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19 MARTIN LUTHER KING HOLIDAY	20	21	22	23 TITLE 24 SEMINAR 10:30 a.m. 1:30 p.m. Zio Fraedo's	24
25	26	27 JATC 3:00 p.m. Training Center Martinez	28	29 NECA Board 4:30 p.m. Chapter 6:00 p.m. Zio Fraedo's	30	31



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