



SUMMER

OUR 60TH YEAR

CONTRA COSTA CHAPTER

November 2023

Sound and Communications Agreement Settlement

On Tuesday, October 17th the representatives from NECA and IBEW came to terms on a new four-year agreement for the Northern California/Northern Nevada Addendum to the Ninth District Sound and Communications Agreement. The Agreement was approved by a vote of the IBEW membership on Saturday, November 4th and the **December 1, 2023 Wage/Fringe benefit increase was allocated at \$2.00 to Wages and \$2.00 to Health and Welfare.***

Wage/Fringe Benefit Increases:

For Schedules A and D (Inner Bay Area)

December 1, 2023	\$4.00 *
December 1, 2024	\$4.00
December 1, 2025	\$4.25
December 1, 2026	\$4.25

For Schedule E (Outer Bay Area)

The increases will be 90% of the actual Wage Increase, so they will be slightly less, depending on what gets allocated to the Health and Retirement. For December 1, 2023, the wage increase is \$1.80/hour.

Most Significant Changes:

Overtime: Double-time after 10 hours in a work-day (vs 12 hours currently).

Payday: Changed to Wednesday (from Thursday) beginning in 2024.
Exception made for weeks in which holiday falls on a Monday, Tuesday or Wednesday.

Travel Allowance Increased:

36-45 road miles = \$10/day

46-55 road miles = \$20/day

56-64 road miles = \$30/day

National 401(k) plan added to Agreement. Implementation date to be determined.

A full summary of the changes can be found [here](#).

Click [here](#) for Updated Wage/Fringe Schedules.



ECCT - NECA 2023 CA Legislative Scorecard

The last actions of the 2023 California legislative session took place on October 14th, which was the deadline for Governor Newsom to sign or veto legislation. NECA again had a highly effective legislative session pursuing industry measures, including furthering efforts to secure market share for union contractors on industrial facilities and updating contractors' state licensing law to ensure contractors stay informed and properly licensed.

2023 was again a very challenging year regarding general employer legislation, due to the legislature's continued push for employment laws that circumvent the sanctity of our industry collective bargaining agreements. Protecting the efficiencies provided within industry collective bargaining agreements, which allow union contractors to remain competitive, has become the highest priority when reviewing legislation. State mandated deviations from those pacts take away from the union construction industry's ability to not only compete for work, but also recruit workers and organize contractors.

In reviewing the scorecard, you will see that much of our time and political effort goes into opposing measures that would have a negative effect on the industry. It is important to remember that both houses of California's legislature have 2/3 democratic supermajorities, making it difficult to stop progressive and environmentally slanted bills that adversely impact our contractors. Despite that fact, NECA was again successful in defeating or amending numerous measures that would have been harmful to our contractors and the industry overall.

Click [here](#) to view a summary of the key bills NECA took strong positions on this year and the outcome.

Sweeney Mason

LLP

News Alert: Workplace Violence Prevention Plan Requirements

By: Roger M. Mason, Esq., Rachael E. Brown, Esq., Caitlin E. Kaufman, Esq.

SB 553 adds section 6401.9 to the California Labor Code and requires almost all employers to implement a workplace violence prevention plan (“WVPP”) by July 1, 2024. The new section will be implemented and enforced by Cal/OSHA.

WVPPs will be structured similar to injury & illness prevention plans (“IIPP”) and will require an employer to (1) designate the person responsible for implementing the program, (2) identify and correct hazards through periodic inspections, (3) train employees on hazards, and (4) maintain records of incidents.

Unlike an IIPP, covered employers must “obtain the active involvement of employees” and any unions “in developing and implementing the plan, [and], in designing and implementing training.” Employers may incorporate the WVPP into an existing IIPP.

Required Information.

The WVPP must be in writing, be available to employees, and include the following:

- Names or job titles of the persons responsible for implementing the plan;
- Methods the employer will use to implement the plan, including how to obtain the active involvement of employees and authorized employee representatives in developing and implementing the plan;
- Methods the employer will use to coordinate implementation of the plan with other employers, when applicable;
- Procedures to ensure that all employees comply with the plan;
- Procedures to communicate with employees regarding workplace violence matters, including how employees can report, how their concerns will be investigated, and how they will be informed of the results of the investigation and corrective action taken;
- Procedures prohibiting retaliation against the employee who report an incident;
- Procedures to respond to actual or potential workplace violence emergencies, including alerting employees to emergencies, evacuation or sheltering plans, and how to obtain help from staff assigned to respond to emergencies;
- Procedures to identify and evaluate workplace violence hazards, including scheduled inspections to identify unsafe conditions and practices;
- Procedures to investigate and correct past incidents.

Training.

The law requires employers to train employees on numerous topics, including the law’s definitions and requirements, the WVPP itself, the documentation required under the plan, how to report incidents and concerns, and ways employees can participate in the WVPP’s development and implementation.

Record Keeping Requirements.

The law also requires employers to maintain various records, including a separate violent incident log, records of the employees’ training, and records of workplace violence investigations. Under the new law, employee concerns of workplace violence must be investigated as part of the employer’s responsibility to identify and correct workplace hazards, and then the results of the investigation must be communicated to the employee. Employers also have a duty to conduct an investigation after incidents of workplace violence.

Sweeney Mason

LLP

News Alert: Minimum Wage Increase for 2024

By: Roger M. Mason, Esq., Rachael E. Brown, Esq., Caitlin E. Kaufman, Esq.

In a recent DIR News Release, No. 2023-66, the Department of Industrial Relations reminded employers that California's minimum wage will increase to \$16.00 per hour effective January 1, 2024. This applies to all California employers regardless of the number of employees working for them.

It is important to note that this increase in the minimum wage also affects the salary employers must pay in order for an employee to qualify as exempt from payment of overtime. California law requires employees to earn a minimum of 2 times the state's minimum wage for full-time work, i.e., 40 hours per week, to meet the minimum salary requirement. Effective January 1, 2024, exempt employees must earn a minimum annual salary of \$66,560.00 (\$1,280/week).

The increased minimum wage will require employers to post a new Minimum Wage Order, along with the Wage Order applicable to their workplace, in a location accessible to employees. The Wage Orders can be downloaded and printed from the [Workplace Posting page](#) on the DIR website.

Do not lose sight of the fact that many cities and counties in California have a local minimum wage that is higher than the state rate. In addition, fast food workers must receive \$20.00 per hour effective April 1, 2024. Effective June 1, 2024, workers at covered health care facilities must receive from \$18 to \$21 per hour, depending on applicable wage schedules, and the minimum wage for these positions will continue to increase, with all healthcare facilities eventually reaching \$25.00 per hour.

Now is a good time for employers to confirm that they are meeting the state and applicable municipal minimum wage requirements and that their exempt employees continue to meet the minimum salary threshold.

POLITICO ALERT

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California Increases the Number of Paid Sick Days Afforded to Employees

Industry CBA Exemption Not Impacted

This week Governor Gavin Newsom signed [Senate Bill \(SB\) 616](#) into law. SB 616 amends California's paid sick leave law to expand mandatory paid sick leave from three days to five days.

Construction Industry CBA Carve Out Still Stands: The union construction industry collective bargaining agreement (CBA) carve out that allows employers to avail themselves of having to provide paid sick leave to CBA covered workers was not amended by SB 616. Industry CBAs that continue to meet both of the following are not impacted and their exemptions are still valid:

1. The CBA expressly waives the requirement to provide state mandated paid sick leave in clear and unambiguous terms.
2. The CBA provides for the wages, hours of work, working conditions of employees, premium wage rates for all overtime hours worked, and regular hourly pay of not less than 30 percent more than the state minimum wage rate.

If the industry CBA doesn't meet those requirements then, beginning January 1, 2024, signatory employers to that CBA must provide covered employees five days of paid sick leave.

Required Disclosure for NECA Chapters

Dues and service charges paid to NECA are not tax deductible as charitable contributions for federal income purposes. They are deductible as ordinary and necessary business expenses, subject to a very minor restriction imposed as a result of NECA's lobbying and political activities as defined by the Budget Reconciliation Act of 1993. Our National Office at NECA estimates that the nondeductible portion of your dues and service charges-the portion allocable to lobbying and political activities -- is 5.2%. Since National NECA's portion of your dues dollar is 20% (2/10's of 1%) this means that about 1% of your payments to NECA could possibly be challenged as non-deductible. To our knowledge, no NECA member has ever been challenged on this.



SYNERGY
eLinks

[California Employers, Unions Enter a New Labor Law Battle](#)

[Joint Apprenticeship and Training Committee](#)

[Handy Map to Identify IBEW Jurisdictions in California](#)


[Project Specific Drug and Alcohol Policy](#) [Individual Employer Drug Alcohol Policy](#)
[Memorandum of Understanding](#) to participate.

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



November 2023

November 2023

Sun	Mon	Tue	Wed	Thur	Fri	Sat
			1	2	3	4
<p>* November 2nd @ Flemmings Prime Steakhouse NECA Board of Directors 4:30 p.m. Annual Meeting of the Contra Costa County Electrical Industry Trust 6:00 p.m.</p>				<p>NECA Board of Directors & Annual CCC Electrical Industry Trust *</p>		
5	6	7	8	9	10	11
				<p>JATC Training Center Martinez 2:00 p.m.</p>		
12	13	14	15	16	17	18
19	20	21	22			25
						
26	27	28	29	30		