



# SUMMER

OUR 56TH YEAR

CONTRA COSTA CHAPTER

November 2019



## Important Notice

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

On May 31, 2020, 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. The process begins in late February and will conclude by the end of May. The new agreement will become effective June 1, 2020. 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 by notifying the union of your intention. For employers signed to a Letter of Assent A, that notification must be sent to the Chapter and the Local Union prior to the end of

December 2019. For employers signed to a Letter of Assent B, the notification to the union must be sent prior to February 20, 2020. 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 negotiations, please contact Mike Geller at the Chapter Office.

## **Inside Wage Adjustment**

Please be advised that the final wage/fringe benefit adjustment under our current Inside Agreement with Local 302 will take place on March 2, 2020, with a total of \$3.00/hour to be allocated. As soon as we are made aware of the allocation, we will distribute revised wage/cost-per-hour sheets in the newsletter.

**WAGE RATES**  
Electrical Contractors Signatory to the Inside Wireman Agreement  
National Electrical Contractors Association (NECA) and IBEW Local 302

On Monday, February 28, 2018, the following wage/rate rates will be effective and will apply to electrical construction work performed within the confines of Contra Costa County under the Inside Wireman Agreement. These rates are in effect through March 1, 2020.

**Wage Rates Include 5% Union Dues Check-Off:**

Journeyman Wireman	552.76
Foreman	660.48
General Foreman	547.20
Senior General Foreman	583.39
Journeyman Cable Splicer	565.48
Journeyman Welder	550.48

  

Apprentices	
1st Period	40% of Class IV Wage Rate ... \$21.50
2nd Period	50% of Class IV Wage Rate ... \$26.88
3rd Period	60% of Class IV Wage Rate ... \$32.26
4th Period	70% of Class IV Wage Rate ... \$37.65
5th Period	80% of Class IV Wage Rate ... \$43.03
6th Period	90% of Class IV Wage Rate ... \$48.42

  

**Fringe Benefit Contributions:**

Health & Welfare	.....\$13.60/hour worked
Retirement	.....\$12.40/hour worked
Industry Trust	.....\$1.50/hour worked
National LMCC	.....\$ 0.10/hour worked
NBPF Pension	.....3% Gross Labor Payroll
Local NECA Dues	.....1% Gross Labor Payroll

# Sound and Communication Negotiations Update



The last piece of the Sound and Communication negotiations will be the wage adjustments due over the next three years, as the parties have agreed to a three-year format; with a few minor agreement changes. The final offer from the employers was \$4.00/\$3.00/\$3.00 for Schedules A and D (covering work in Locals 6, 234, 332, 595 and 617), and \$2.75/\$2.50/\$2.25 for Schedule E (covering work in Locals 180, 302 and 551). The final offer from the IBEW was \$5.00/\$5.00/\$5.00 for Schedules A and D, and \$4.20/\$4.20/\$4.20 for Schedule E. The matter has been referred to the Council on Industrial Relations (CIR) for resolution. We expect the decision on or about November 22<sup>nd</sup>, and will advise you accordingly.

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## NECA 2019 CA Legislative Scorecard



The last actions of the 2019 California legislative session took place on October 13th which was the deadline for Governor Newsom to sign or veto legislation. NECA once again had a very successful legislative session with victories in the areas of prompt payment relating to change orders, the expansion of the skilled and trained workforce provisions and much needed industry relief to comply with the state's new sexual harassment training requirements. NECA also took the leading role in opposing or amending dozens of measures that would have been harmful to our contractors and the industry overall.

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

# RSVP Now!

*December 12<sup>th</sup>, 2019*

## **SIGNIFICANT CHANGES TO THE 2017 NEC**

### **Featuring Michael Johnston**

*Zio Fraedos Restaurant, Pleasant Hill, CA  
11:45 a.m. - 1:30 p.m. (Lunch Included.)*

We are pleased to announce that Michael Johnston, the National Electrical Contractors Association's Executive Director of Standards and Safety, will be presenting a short course on the Significant Changes to the NEC when the State of California adopts the 2017 version on January 1, 2020. This is your opportunity to get insight on how the changes may affect the way you bid and install work going forward.



Mr. Johnston has been active in the Code making process for much of his life. In fact, the 2017 NEC Handbook has been dedicated to him. Please take full advantage of this free program sponsored by the Electrical Industry Trust and our Electrical Code Interpretations Committee.

**RSVP**

## N E W S R E L E A S E

Release Number: 2019-81

Date: October 27, 2019

### **Cal/OSHA Reminds Employers to Protect Workers if the Air Quality is Unhealthy due to Wildfire Smoke**

**Oakland**—Cal/OSHA is advising employers that steps must be taken to protect workers from harmful exposure if the air quality is unhealthy due to wildfire smoke.

California's [protection from wildfire smoke standard](#) applies to workplaces where the Air Quality Index (AQI) for fine particles in the air is 151 or greater and where workers may be exposed to wildfire smoke.

When wildfire smoke affects a worksite, employers must monitor the AQI for particulate matter in the air, known as PM2.5. Employers can monitor the AQI using the following websites:

[U.S. EPA AirNow website](#)

[U.S. Forest Service Wildland Air Quality Response Program website](#)

[California Air Resources Board website](#)

[Local air pollution control district websites or local air quality management district website](#)

#### **If the AQI for PM2.5 is 151 or greater, employers must take the following steps to protect employees:**

- Communication – Inform employees of the AQI for PM2.5 and the protective measures available to them.  
Training – Train all employees on the information contained in [section 5141.1 Appendix B](#).
- Modifications – Implement modifications to the workplace, if feasible, to reduce exposure. Examples include providing enclosed structures or vehicles for employees to work in, where the air is filtered.
- Changes – Implement practicable changes to work procedures or schedules. Examples include changing the location where employees work or reducing the amount of time they work outdoors or exposed to unfiltered outdoor air.
- Respiratory protection – Provide proper respiratory protection equipment, such as disposable respirators, for voluntary use. To filter out fine particles, respirators must be labeled N-95, N-99, N-100, R-95, P-95, P-99, or P-100, and must be labeled as approved by the US National Institute for Occupational Safety and Health (NIOSH). If the AQI for PM2.5 exceeds 500, respirator use is required. Employers must ensure employees uses respirators and implement a respiratory protection program as required in California's [respiratory standard](#). For information or help on developing a respiratory protection program, see Cal/OSHA's [Respiratory Protection Fact Sheet](#).

Smoke from wildfires contains chemicals, gases and fine particles that can harm health. The greatest hazard comes from breathing fine particles in the air (called PM2.5), which can reduce lung function, worsen asthma and other existing heart and lung conditions, and cause coughing, wheezing and difficulty breathing.

Guidance for employers and workers on working safely in conditions with smoke caused by the wildfires [is available on Cal/OSHA's web page](#), including [information for protecting outdoor workers](#), [details on how to protect indoor workers from outdoor air pollution](#), and [frequently asked questions about N95 masks](#).

Information on current wildfires is available from [CalFire](#) and the [Incident Information System website](#).

Cal/OSHA helps protect workers from health and safety hazards on the job in almost every workplace in California. [Cal/OSHA's Consultation Services Branch](#) provides free and voluntary assistance to employers to improve their health and safety programs. Employers should call (800) 963-9424 for assistance from Cal/OSHA Consultation Services.

Employees with work-related questions or complaints may contact DIR's Call Center in English or Spanish at 844-LABOR-DIR (844-522-6734). The California Workers' Information line at 866-924-9757 provides recorded information in English and Spanish on a variety of work-related topics. Complaints can also be filed confidentially with [Cal/OSHA district offices](#).

# POLITICO ALERT

[www.PoliticoOnline.com](http://www.PoliticoOnline.com) "Connecting you to California"

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## **Sexual Harassment Training Requirements** **Governor Newsom Signs Important Industry Reforms**

Governor Newsom signed two important industry bills relating to sexual harassment training, [SB 778](#) and [SB 530](#). These measures deliver needed time, clarity and flexibility to union construction employers attempting to comply with the State's expanded sexual harassment training requirements.

### **Background**

The highly-publicized #MeToo movement made a significant cultural impact in 2018, not only on workplaces and individuals across all industries, but also on California state lawmakers who responded by introducing and passing legislation aimed at curbing sexual harassment in the workplace. The most significant law on this topic passed in 2018 was SB 1343, which expanded California's existing sexual harassment prevention training requirements from only supervisory employees to all employees and reduced the employee threshold triggering the training requirement for employers from 50 employees to 5 employees. Due to the climate surrounding the #MeToo movement, SB 1343 received no opposition.

Under SB 1343 California employers, with five or more employees, are required to provide two hours of sexual harassment prevention training to supervisors and one hour of sexual harassment prevention training to nonsupervisory employees by January 1, 2020. New employees or employees receiving a promotion to a supervisory position are required to be trained within six months of hire or promotion. Training is also required to be provided every two years thereafter and must be provided by each new employer. In addition, the Department of Fair Employment and Housing (DFEH) is required to develop, and make available on its website, online sexual harassment training courses with a method for employees who have completed the training to print out a certificate of completion.

The implementation of the new law brought two specific challenges to our industry. First, the DFEH has yet to provide the mandated online training course, leaving no time to get employees trained by the January 1, 2020 deadline. Second, the union construction industry is a multi-employer setting in which collective bargaining agreement (CBA) covered employees work for multiple employers throughout their career. Over the span of a two-year period, these employees could change employers a half dozen times or more. Pursuant to the law, a worker who is dispatched by the union hall to multiple employers over a two-year period would need to receive sexual harassment prevention training each time they go to work for a union signatory construction employer. This is obviously burdensome to union construction workers who would be required to receive sexual harassment training multiple times over the two-year span and it is also inefficient for employers who would be required to provide redundant training.

### **Solution**

To address these issues, we worked to pass two bills this year, **SB 778** which provided an extension to the deadline for employers to train their existing employees from January 1, 2020 to January 1, 2021 and **SB 530** to clarify that the training can follow the CBA covered employee in the union multiemployer construction setting when they change employers. SB 530 also authorized Joint Labor Management Apprenticeship Training Committees and other Labor Management Committees to provide the requisite training.

## **Addressing these issues for the industry was a top priority.**

### **See below summary with specifics on each bill.**

#### **SB 778 - Employers: sexual harassment training: requirement extension**

- Extends the deadline for covered employers to provide sexual harassment prevention training and education to their existing supervisory and nonsupervisory employees to January 1, 2021.
- Clarifies that covered employers who have provided sexual harassment prevention training and education to an employee in 2019 or 2020 may provide refresher training to that employee two years thereafter.

Please note that there are a few provisions that SB 778 did not change. Government Code Section 12950.1(a) still requires employers to provide the sexual harassment prevention training to new nonsupervisory employees within six months of hire and to new supervisory employees within six months of hire or the assumption of a supervisory position. The option to verify that a CBA covered employee has undergone training within the past two years rather than provide the training, per SB 530, still applies.

#### **SB 530 – Union construction industry: discrimination and harassment prevention**

- Rather than requiring retraining of a new employee, the bill authorizes a construction industry employer that employs workers pursuant to a multiemployer CBA to satisfy the Fair Employment and Housing Act's sexual harassment training and education requirement by demonstrating that the worker has received the requisite amount of sexual harassment prevention training and education within the past two years by the employer itself, another employer signatory to the same CBA or an associated apprenticeship program, labor management trust, or labor management cooperation committee.
- Provides that a state-approved building and construction trades apprenticeship program, labor management training trust, or labor management cooperation committee may provide sexual harassment prevention training and education to covered workers on behalf of an employer.
- Should an apprenticeship program, labor management training trust, or labor management cooperation committee provide the sexual harassment prevention training and education, the new law requires a certificate of completion of training to be maintained by the apprenticeship program, labor management trust, or labor management cooperation committee for a period of not less than four years.
- Requires an apprenticeship program, labor management trust, or labor management cooperation committee, that provides the sexual harassment prevention training and education, to maintain a database of apprentice and journeyman sexual harassment prevention training and to provide verification of an employee's training status upon the request of an employer that is a party to the associated multiemployer collective bargaining agreement.
- Requires the Division of Labor Standards Enforcement (DLSE) to develop an industry specific harassment and discrimination prevention policy and training standard for use by employers, apprenticeship programs, labor management trusts, or labor management cooperation committees in the construction industry that is tailored to best serve the industry.



# The NECA Learning Center

**NECA offers a wide range of educational programs for your professional growth and your company's future.**

**FROM THE NECA LEARNING CENTER YOU CAN:**

- View available courses in the Course Catalog
- Take on-demand online training
- Print certificates and transcripts
- Download receipts
- And much more

***[View the Learning Center FAQ Here.](#)***

## **New On-Demand Project Management Course Now Available**

A project manager can have a significant impact on the overall health of a company through their management of cash flow on their projects. Managing Cash on a Project, the newest topic in the NECA Learning Center online project management course series, discusses the project manager's responsibilities for cash flow and how they can proactively manage it.

This short on-demand online course joins Job Cost Control and Projections and the rest of NECA's project management training, learn more at [www.necanet.org/PM](http://www.necanet.org/PM).

*Want to participate in the development of NECA's online project management training?*

*Click [here](#).*

*If you do not have your login information to enter the National NECA Website, contact Sharon Spare at the Chapter office via email ([sspare09@sbcglobal.net](mailto:sspare09@sbcglobal.net)) or call 925-372-3222 x10 for assistance.*



**Contra Costa Chapter, NECA  
MEMBERSHIP MEETING**

Our next Chapter meeting will be held on Tuesday, November 19<sup>th</sup>, upstairs at Massimo's in Walnut Creek, beginning with cocktails at 6:00 p.m. and dinner at 6:30 p.m.

*RSVP*  
[\*\(Click Here\)\*](#)



**SYNERGY**  
eLinks

<a href="#"><u>2018 SUMMARY ANNUAL REPORT FOR THE ELECTRICAL WORKERS HEALTH AND WELFARE PLAN</u></a>	<a href="#"><u>2018 SUMMARY ANNUAL REPORT FOR THE ELECTRICAL WORKERS RETIREMENT PLAN</u></a>
<a href="#"><u>MARKET SHARE REPORT SEPTEMBER 2019</u></a>	<a href="#"><u>GUIDE TO NEBF PARTICIPATION AGREEMENTS FOR NON-BARGAINING EMPLOYEES</u></a>
<a href="#"><u>DISCLOSURE ABOUT AN EMPLOYER'S PARTICIPATION IN A MULTIEMPLOYER PLAN</u></a>	<a href="#"><u>2019 INSIDE WIREMAN HOLIDAYS</u></a>
<a href="#"><u>SOUND AND COMMUNICATION AGREEMENT WITH UPDATED WAGE SCHEDULES FEBRUARY 2019</u></a>	<a href="#"><u>NEBF 2018 ANNUAL FUNDING NOTICE</u></a>



**CONTRA COSTA CHAPTER**

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

*November 2019*

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thur</i>	<i>Fri</i>	<i>Sat</i>
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	4	5	6	7	8	9
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24	25	26	27			30



**NECA**  
Board of Directors  
 4:30 p.m.  
 Chapter  
 6:00 p.m.  
 Massimo's  
 Walnut Creek

