



# SUMMER

OUR 61<sup>st</sup> YEAR

CONTRA COSTA CHAPTER

JULY 2024

## **Contractors Signatory to the Northern California Addendum #2 To the 9th District Sound and Communications Agreement**



As part of the Northern California Sound and Communications Agreement settlement last November, the parties agreed to add an optional 401(k) plan called the IBEW-National Electrical 401(k) Plan, or NEFP with a delayed implementation date (Reference the new [ARTICLE VI - National Electrical 401K Plan](#)).

This new optional plan is now available for your collective bargaining unit employees to sign up for through the NEFP website (<https://www.ourbenefitoffice.com/nefp/benefits/>). Upon doing so, they will have a pdf form generated that they will then turn in to you. Upon receipt of this form, you will deduct from the employee's wages the amount they opted to contribute (\$1.00, \$3.00, \$5.00 or \$8.00 per hour). You will then submit the deduction to the Trust Fund office monthly through NECA Star. Employees may change their 401(k) contribution amount quarterly, or sooner if they are dispatched to another employer. Changes will be made through the same online process. You may view the correspondence that was sent out recently to the IBEW/NECA Sound and Communications Participants [here](#).

We are not certain how many employees will actually take advantage of this program, but we want you to be aware it exists, and how to comply if one or more of your employees chose to participate.

### **REMINDER for Inside Contractors**

#### **The Contra Costa County Electrical Workers IBEW Local 302 Trust Funds Accepts Electronic ACH Payments**

Instead of mailing a check and multiple copies of the fringe benefit report every month, enjoy the convenience of secure electronic ACH payments.

Reduce printing/postage costs and eliminate liquidated damages/interest, because all payments are automatically pulled after you, the employer, authenticate your report in NECA Star.

If interested in using electronic ACH payments, please review and complete the [CCEW Authorization to Pull ACH Form](#) and return to the CCEW Benefit Office via email (Staff@CCEWBenefits.com) or fax (925-500-8722).

Please feel free to contact the CCEW Benefits office at (925) 500-8716 with any questions.

# Cal/OSHA

## Passes Indoor Heat Regulation

On June 20, 2024, the California Occupational Safety and Health Standards Board (Cal/OSHA) unanimously [adopted a new standard for Heat Illness Prevention in Indoor Places of Employment](#). A prior attempt to pass the regulation failed on procedural grounds.

### Covered Employers

The new standard will apply to all indoor work areas where the temperature equals or exceeds 82 degrees Fahrenheit when employees are present. However, the standard does not apply to employees who telework from a location of their choosing that is outside the employer's control. In addition, the standard does not apply to "incidental heat exposures" of less than 15 minutes in any 60-minute period when the temperature is about 82 degrees Fahrenheit and below 95 degrees Fahrenheit.

Prisons and certain detention facilities are also exempted from the standard.

Additional requirements under the regulation may apply when the temperature equals or exceeds 87 degrees Fahrenheit.

### Employer Obligations

For workplaces subject to the regulations employers will be required to do some or all of the following depending on the heat index at the workplace:

- Provide drinking water. Where drinking water is not plumbed or otherwise continuously supplied, employers shall provide sufficient quantities at the start of the shift to provide one quart per employee per hour of drinking for the entire shift.
- Provide access to cool-down areas which are defined as an indoor or outdoor area that are blocked from direct sunlight and shielded from other high radiant heat sources.
- Assess temperature and heat index and evaluate risk factors of heat illness.
- Establish and maintain accurate records of either the temperature or heat index measurements.
- Use control measures to minimize the risk of heat illness including engineering controls, and administrative controls.
- Develop emergency response procedures and conduct employee training.

The Cal/OSHA Board has requested that the Office of Administrative Law (OAL) expedite its effective date. If this happens the standard will take effect in early **August 2024**. If the rule is not expedited, then it will take effect on **October 1, 2024**.



### **Heat Illness Prevention in Indoor Workplaces**

- [CalOSHA Information for Employers](#)
- [CalOSHA Information for Employees](#)

# POLITICO ALERT

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

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## **Agreement on PAGA Reform Reached** **PAGA Repeal Initiative Removed from the November Ballot**

Governor Newsom, legislative leaders, the California Chamber of Commerce and the California Labor Federation have reached an agreement on reforms to the Private Attorneys General Act (PAGA) that avoids a contentious ballot measure campaign. The proposed initiative was aimed at repealing PAGA which gave workers the right to sue their employers for themselves and other workers. That proposed initiative will now be kept off the November ballot. In its place, legislation to reform PAGA will be approved and implement the following:

### **Reform penalty structure**

- *Encourages compliance with labor laws by capping penalties on employers who quickly take steps to fix policies and practices, and make workers whole, after receiving a PAGA notice, as well as on employers that act responsibly to take steps proactively to comply with the labor code before even receiving a PAGA notice.*
- *Creates new, higher penalties on employers who act maliciously, fraudulently or oppressively in violating labor laws.*
- *Ensures that more of the penalty money goes to employees by increasing the amount allocated to employees from 25% to 35%.*

### **Reducing and streamlining litigation**

- *Expands which Labor Code sections can be cured to reduce the need for litigation and make employees whole quickly.*
- *Protects small employers by providing a more robust right to cure process through the Labor and Workforce Development Agency (LWDA) to reduce litigation and costs.*
- *Codifies that a court may limit both the scope of claims presented at trial to ensure cases can be managed effectively.*

### **Improving measures for injunctive relief and standing**

- *Allows courts to provide injunctive relief to compel businesses to implement changes in the workplace to remedy labor law violations.*
- *Requires the employee to personally experience the alleged violations brought in a claim.*

### **Strengthening state enforcement**

- *Gives the Department of Industrial Relations (DIR) the ability to expedite hiring and fill vacancies to ensure effective and timely enforcement of employee labor claims.*

While the reform bill language is not yet in print, it is our understanding that the compromise legislation does not impact our industry authority that allows signatory contractors to be exempt through their collective bargaining agreement (CBA) from being exposed to PAGA lawsuits. That said, there are two sunset dates in existing law attached to the CBA carveout statute with one expiring 1/1/25 and the other expiring on 1/1/28. The first sunset date will not allow CBAs to benefit from the exemption if a CBA expires between the two dates. The second sunset date eliminates the CBA carveout provision unless extended by the legislature. Union signatory contractor associations had been requesting that language be included in the PAGA compromise bill that would extend or eliminate the carveout sunset dates. Those efforts have been rebuffed due to concerns from our labor partners. We hope we can work out an agreement with our industry labor partners to remove or extend the sunset dates before the end of this year's legislative session which concludes in August.

Once the Legislature approves the bill reflecting the compromise deal and Newsom signs it, the proponents of the businesses backed PAGA repeal initiative will withdraw the ballot measure. The bill must be signed by the governor by June 27, the deadline for the Secretary of State to certify ballot measures for the November general election.

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## **DIR Launches New System for Public Works Contractor Registration and eCPRs**

The previous system went offline June 21 at 8:00 PM PST. The [New Portal](#) went live on Saturday, June 22<sup>nd</sup>. Support and resources are now available.

Contractors are encouraged to get training before accessing the new system as this will ease transition to the new system.

Reference materials are posted on the new [Support Center Web Page](#), including a recording of the webinar held on June 24<sup>th</sup>, FAQ, videos, and a user manual.

Questions about the new system can be directed to [the DIR](#).

All users of the previous system will need to create a new log-in for the new system. Information on public works registered Contractors will be migrated from the old system when they register using their current DIR public works registration number.

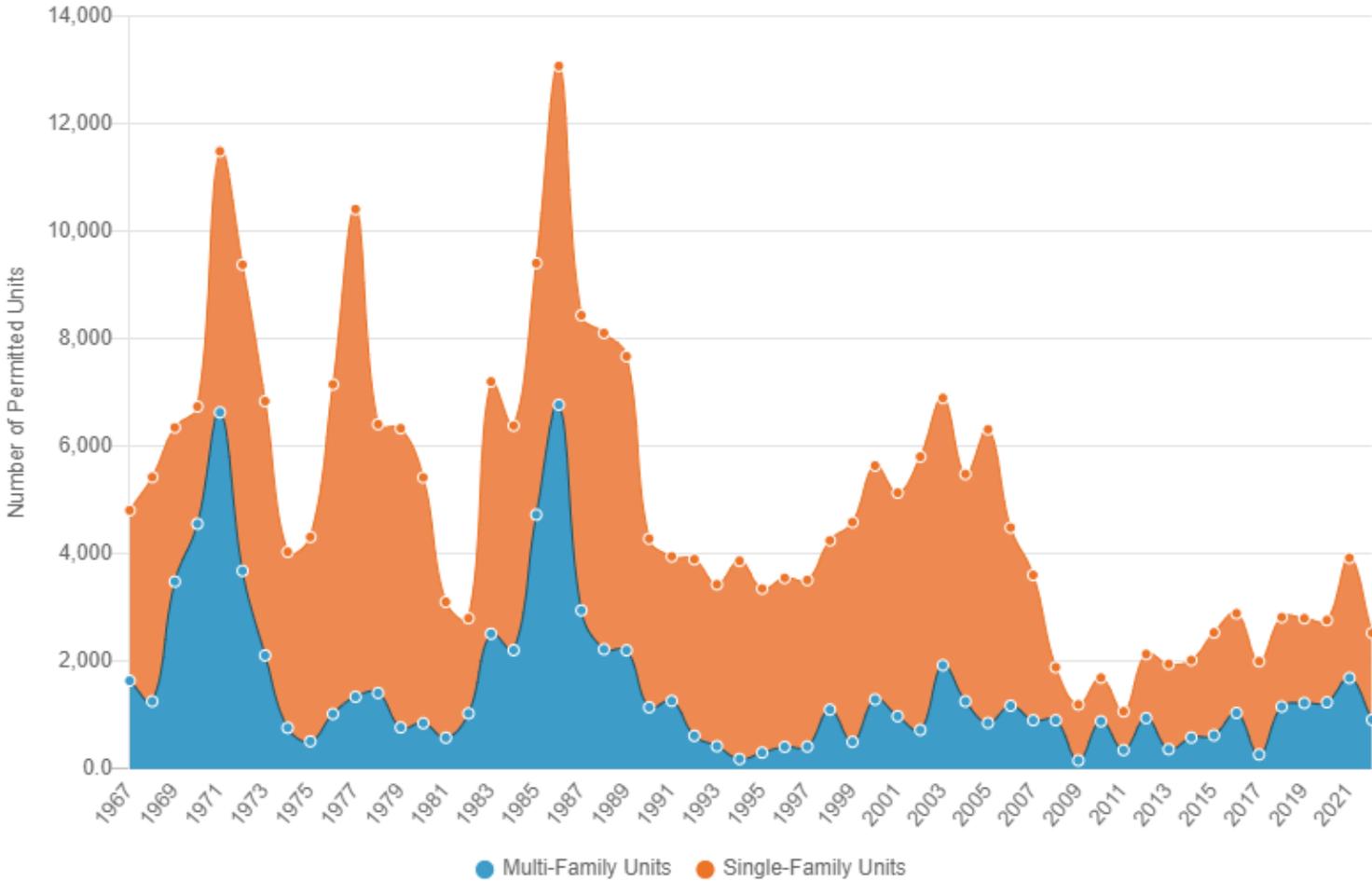
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## **Now Live: DIR's Modernized Public Works Website Services**

Go to <https://www.dir.ca.gov/Public-Works/DIRs-Modernized-Public-Works-Website-Services.html> for more information and instructions.

# CONTRA COSTA COUNTY

## Historical Trend for Housing Permits

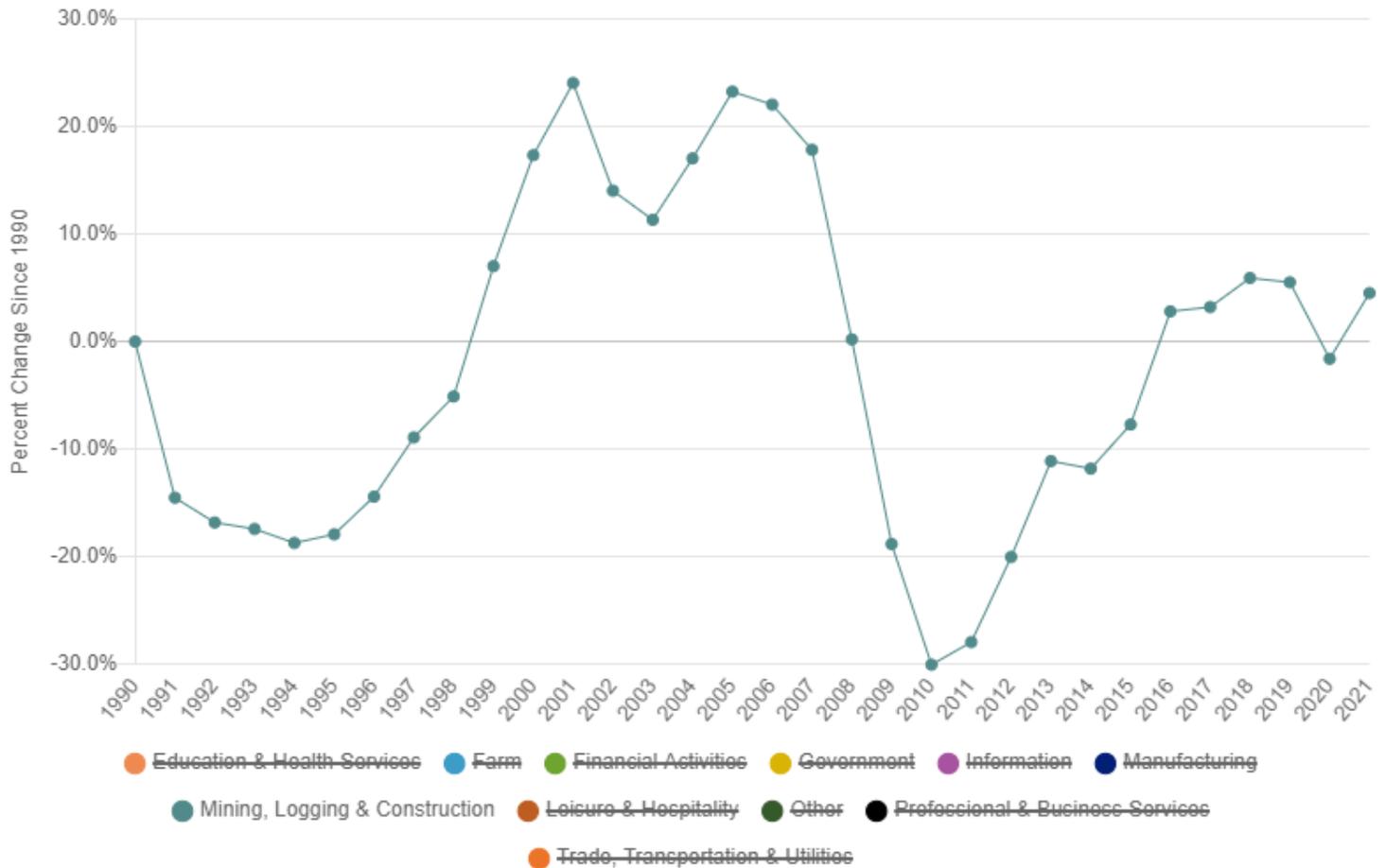


Sources: California Housing Foundation/Construction Industry Research Board (CIRB).

Notes: Due to nuances in the source datasets, the total permit counts from the CIRB dataset might not be consistent with APR or U.S. Census source datasets.

# CONTRA COSTA COUNTY

## Historical Trend for Job Growth by Industry



**Registration is Open:**

# ***NECA 2024 Convention and Trade Show***

***San Diego Convention Center  
September 28, 2024 - October 1, 2024***

***Download Brochure:***

**[NECA 2024 Attendee Brochure](#)**



**SYNERGY  
eLinks**

**[New standard for Heat Illness Prevention in Indoor Places of Employment.](#)**

**[ARTICLE VI - National Electrical 401K Plan](#)**

**[2024 NECA-IBEW Agreement on Employee Portability](#)**

**[IBEW Ninth District Inside Portability Policy](#)**

**[2024 Ninth District Portability Notification Form \(pdf\)](#) [\(Word Download\)](#)**

**[Sweeney Mason - Workplace Violence Prevention Plan Template \(pdf\)](#) [\(Word Download\)](#)**

**[Cal/OSHA Model Workplace Violence Plan Template \(pdf\)](#) [\(Word Download\)](#)**

**[Workplace Violence Prevention in General Industry \(Non-Health Care Settings\) Information for Employers - Cal](#)**



## July 2024

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thur</i>	<i>Fri</i>	<i>Sat</i>
1		2 <b>Apprenticeship Applicant Interviews</b> Training Center 12:00 Noon	3	4 Holiday Independence Day (Inside & Sound)	5 Holiday Off-Day (Inside Only)	6
7	8	9 <b>Apprenticeship Applicant Interviews</b> Training Center 12:00 Noon	10	11 <b>Apprenticeship Applicant Interviews</b> Training Center 12:00 Noon	12	13
14	15	16 <b>Apprenticeship Applicant Interviews</b> Training Center 12:00 Noon	17	18 <b>Apprenticeship Applicant Interviews</b> Training Center 12:00 Noon	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3

*The "Bob" Golf Tournament  
San Diego, California*

**CONTRA COSTA CHAPTER, NECA**

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