



OUR 57TH YEAR

CONTRA COSTA CHAPTER

SEPTEMBER 2020

# *Inside Wireman Agreement*

## *2018 - 2020*

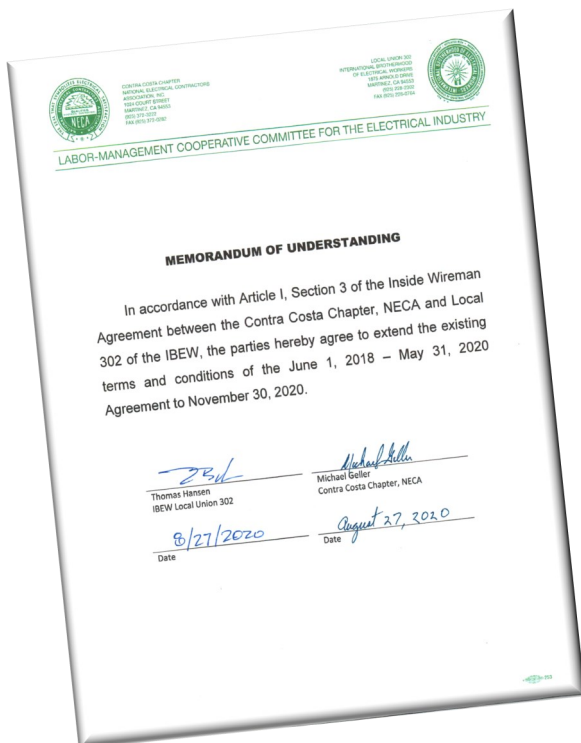
**WILL REMAIN IN EFFECT THROUGH NOVEMBER 30<sup>TH</sup>**

**Update**

## *Inside Negotiations*

On August 17<sup>th</sup>, the Chapter and Local 302 presented the remaining issues in negotiations to the Council on Industrial Relations. On August 24<sup>th</sup>, we got our decision, which is attached [here](#).

Looks like we are not finished yet. As a result, we have [extended](#) the 2018-2020 Inside Agreement to November 30th and will continue to meet with our counterparts from Labor to reach a full settlement of all issues. If we are not able to resolve everything, CIR will hear our case in November and issue a decision at that time.



# Your Apprenticeship Hiring Requirements on Public Works Projects

We want to remind all of our members that pursue public works contracts of the apprenticeship hiring requirements on those projects. Many of our contractors who take on larger public works projects, do so with the thought of reducing the composite rate with apprentices and employ apprentices on a consistent basis. Others, especially smaller contractors, often feel they cannot justify hiring an apprentice for a limited number of hours/days on a cost effective basis. While they may be factually true, it does not relieve you of the state requirements of “not less than one hour of apprentice work for every five hours of labor performed by journeyman.” Signatory contractors are not automatically exempted from this provision.

We asked Dave Johnsen, our Compliance Facilitator for our LMCC to provide a refresher on the requirements, as the Department of Industrial Relations is beginning to look for this on a more aggressive basis. His summary is below.

Our Inside Joint Apprenticeship and Training Committee has roughly twenty-five apprentices out of work at the present time, not counting anyone that may be furloughed. There is no question that we have apprentices available to you, even on a short term basis. You should not have difficulty getting an apprentice dispatched to you in Local 302. If other areas are not able to get you an apprentice, request permission to take a Local 302 apprentice into that area to meet the public works requirement.

## **SUMMARY**

### **Payroll Reporting and Apprenticeship Requirements for Public Works Projects**

#### ***Certified Payroll Reporting:***

1. For all new contracts awarded on or after April 1, 2015: All Contractors and Subcontractors must furnish electronic certified payroll records to the Labor Commissioner. There are exceptions to this rule. On some PLA projects the requirement to send the payrolls to the Labor Commissioner may not apply, however this doesn't mean that you don't have to keep records and be able to present them to requesting parties in a timely manner which the DIR defines as 10 days.
2. For public works projects of \$25,000 and less when the project is for construction, alteration, demolition, installation, or repair work or for work performed on a public works project of \$15,000 or less when the project is for maintenance work you are not required to furnish electronic certified payroll records to the Labor Commissioner. This is not explicitly stated in the Labor Code but is inferred due to the fact that there isn't a public works registration requirement for projects of this size nor is there a requirement for the awarding body to register the project with a PWC 100 form. Some awarding bodies will submit PWC 100 forms for these small projects but it isn't required and doesn't trigger the requirement for certified payroll reporting.

***If an Awarding Agency or General Contractor tells you that they don't require Certified Payroll Reporting this doesn't mean that the DIR doesn't require it. There has been some confusion regarding the requirements since the introduction of the Electronic format.***

### ***Apprenticeship Requirements:***

1. For all projects with a prime contract of \$30,000 or more there is a requirement to hire DAS registered apprentices in the one-to-five hourly ratio. To be clear, this is for the prime contract. You can have a subcontract for \$2000 and the Apprenticeship requirement is in play if the prime contract is \$30,000 or more.
2. DAS 140 Forms (Notice of Contract Award): DAS 140 Forms must be sent within 10 days of the signing of the contract or subcontract, but in no event later than the first day in which the contractor has workers employed upon the public work. Contractors who submit the DAS 140 outside this timeframe are considered out of compliance and may be subject to penalties. This form notifies the applicable committees of the contract award, it is not a request for dispatch of a registered apprentice (to do this, use DAS Form 142). Apprenticeship requirements are the responsibility of the contractor.
3. DAS 142 forms (Request for Apprentice dispatch): DAS 142 forms must be turned in 72 hours excluding Saturdays, Sundays, and holidays before the date on which one or more apprentices are required. Contractors who do not receive a sufficient number of apprentices from their initial request must request the dispatch of apprentices from all other apprenticeship committees in the area of the Public Works project. This only needs to be done once during the life of the project. You are not required to sign any additional documents, such as the DAS 7 (Agreement to Train Apprentices,) or agree to any other conditions set forth by a program. If a program does not want to dispatch apprentices unconditionally, and you have contacted all the appropriate programs in the geographic area then you have met your obligation under the law. Even if a job will take less than 40 hours, the contractor must submit a DAS 140 and DAS 142. However, you may request apprentices in less than eight-hour increments.
4. Exemption to the "project to project" Apprenticeship requirements: Labor Code 1777.5 (j): "Upon proper showing by a contractor that he or she employs apprentices in a particular craft or trade in the state on all of his or her contracts on an annual average of not less than one hour of apprentice work for every five hours of labor performed by journeymen, the Administrator of Apprenticeship may grant a certificate exempting the contractor from the 1 to 5 hourly ratio, as set forth in this section for that craft or trade." With the granting of this exemption, a contractor need only meet yearly apprentice-to-journeyman ratio requirements instead of the default project-specific requirements. This would be most convenient for contractors with a large number of smaller projects. I would be happy to assist any signatory contractors that have questions about or are interested in applying for this exemption. I am attaching the procedures below for anyone interested in applying for the exemption.

### ***LABOR CODE 1777.5 (j) EXEMPTION REQUEST REQUIRED DOCUMENTS FOR REVIEW***

1. Summary of apprentice and journeymen hours by month on all projects for the previous 12 months
2. A list containing the full names and full Social Security Numbers of just the apprentices whose hours are summarized in Requirement #1.
3. Documentation to confirm both the apprentice and journeymen hours listed in the summary sheet of Requirement #1 above (this can be trust fund reports or payroll records).

All of this information should be emailed to Donald Wong at DIR ([DMWong@dir.ca.gov](mailto:DMWong@dir.ca.gov)) with the subject line "Labor Code 1777.5 (j) Exemption Request."

NOTE: If more than one craft is requested for an exemption please provide separate listings for #1 and #2

***If anyone has any questions about any of these topics feel free to reach out.***

**David Johnsen  
Contra Costa Compliance  
(925) 372 0302**



NECA is harnessing cutting-edge technology to deliver all the benefits of the NECA Convention—including an interactive trade show floor, extensive educational opportunities, and inspiring talks—as well as all the freedom that comes from an online experience. An emphasis was also made on making this event accessible and valuable to NECA members amidst these uncertain times, enabling them to send more members than ever and continue to develop talent within their companies.

In planning the virtual convention, NECA is focusing on a “Five-Star Approach” to create a brand-new experience. NECA 2020 LIVE is designed to [Expand, Educate, Engage, Entertain, and Excite](#).

### EXPAND

By widening the audience this year, we hope to provide true value to everyone through a new virtual lens. This is not just a NECA event. This is a business-to-business solution for the electrical industry.

### EDUCATE

NECA has expanded its online educational offerings substantially this year, and the convention will offer more options with more relevance to help contractors address the unique issues they face today.

### ENGAGE

Engagement will take a new turn but will be an important aspect of the event, despite its virtual nature. It will allow attendees to interact with more—and more varied—people than ever before.

### ENTERTAIN

One of the main goals of the program is to make it fun: games, contests, and live music performances will support personalized interactivity.

### EXCITE

NECA plans to build anticipation for this event and promises to blow it out of the water. It will be an educational tool for contractors like no other.

Thanks to innovative technology and the convenience afforded by a virtual convention, attendees will find NECA 2020 LIVE to be more connected than ever. Those attending education sessions will find the highest quality of instructors in NECA Convention history. Additionally, through the NECA 2020 LIVE virtual platform, attendees can experience every single minute of education offered, along with other talks and general sessions, with archived recordings available for viewing 30 days after the fact.

**REGISTER HERE**

# Although a wildfire's path of destruction can appear random, there are actions you can take that improve your home's likelihood of survival.

## In 2008, California implemented new fire-resistant building standards for homes in fire-prone regions.

An analysis of the homes in the path of the 2018 Camp Fire demonstrated the effectiveness of these measures: just 18 percent of homes built before 2008 were undamaged, compared to 51 percent of the homes built after 2008.

It is nearly impossible to make one's home completely fireproof, but you can make it more fire-resistant. Based on California Building Code Chapter 7A and the recommendations of CAL FIRE and other fire prevention experts, here are measures you can take to **harden your home**.



### START AT THE TOP

During a wildfire, the most significant threat to your home is likely to come from flying embers. Wind-blown embers can destroy homes up to a mile away from a wildfire, igniting a blaze that can spread quickly.



#### ROOF

Replace wood or shingle roofs with non-flammable materials like asphalt, clay, metal or slate.



#### EAVES AND SOFFITS (UNDERSIDE OF ROOF)

Protect eaves and soffits with ignition-resistant or non-combustible materials.



#### WALLS

When replacing wood siding products with ignition-resistant materials, remember to extend materials all the way from the roof to the foundation.

## PROTECT WHAT'S INSIDE YOUR HOME

Your roof may be fireproof, but odds are the same can't be said for what's underneath it. Items like furniture, carpets and countless other household items are at risk when embers enter the home. The key is considering potential openings through which embers could enter your home and keeping them out.



#### VENTS

Vent openings should be covered with 1/8-inch to 1/4-inch metal mesh.



#### CHIMNEY

Cover chimney and stovepipe outlets with 3/8-inch to 1/2-inch metal mesh to prevent embers from entering and igniting a fire.



#### DOGGY DOOR

Be sure it seals properly and remains closed during fire season.



#### GARAGE DOORS

Use weather stripping to seal gaps around openings like garage doors.



#### WINDOWS

Windows can be broken from the heat of a wildfire, creating an opening for flying embers. Install dual-paned windows with one pane of tempered glass to reduce the chance of breakage.



#### MISSING TILES AND SHINGLES

Fill roof or siding openings by replacing missing shingles or tiles.



## WORK YOUR WAY OUT

A fire burning next to your home can prove just as dangerous as one inside it. Be sure items within five feet of your home are fire-resistant.



### RAIN GUTTERS

Don't allow plant debris to build up in rain gutters attached to your house. You can prevent accumulation of leaves or pine needles by screening or enclosing gutters and making sure they're cleaned regularly.



### PATIO COVER

Patio coverings should use the same ignition-resistant materials as a roof.



### DECKS

Decks are another large surface area on which embers can land. In addition to using ignition resistant decking, be sure to prevent debris from building up either on or underneath your deck.



### FLAMMABLE MATERIALS

Propane tanks and woodpiles should be moved away from the house. Replace organic mulch and flammable plants with non-flammable alternatives.



### FENCING

Use ignition-resistant or non-combustible fencing materials. Separate wood fencing from your house with a metal or stone barrier.

## BE A GOOD NEIGHBOR

In a fire, the safety of an entire neighborhood is often dependent on the weakest link, as every home that catches fire serves as another ignition source that puts others at risk. This is especially true in many areas where the 100 feet of defensible space around one home crosses into a neighbor's yard, and vice versa.

In addition to taking these measures to harden your home, the following steps can help facilitate a faster response to a fire emergency.



### FIRE EXTINGUISHERS

Every home should be equipped with fire extinguishers to combat small fires before they have a chance to grow. Tools like a shovel, rake or bucket can also help stop a fire from spreading.



### HOSES

Consider having multiple garden hoses that are capable of reaching every area of your home or property.



### EMERGENCY ACCESS

Fire and emergency vehicles need to be able to get to your home. Trim trees or shrubs that overhang a driveway or access road. Make sure your address is visible from the road.

## CREATE A DEFENSIBLE SPACE

It is important to create a buffer zone around your house to protect it from wildfires. Defensible space zones extend 100 feet from buildings and structures.



### YARD MAINTENANCE AND PLANT SPACING

CAL FIRE has guidelines on how to maintain a defensible space around your home in Zone 1 (up to 30 feet) and Zone 2 (up to 100 feet).



### FIRE-RESISTANT LANDSCAPING

The strategic use of fire-resistant plants and materials can reduce the likelihood of fire spreading to your home. Features like a stone walkway can act as a fire break that protects your home from burning grass.



**SYNERGY**  
eLinks


# September 2020



<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thur</i>	<i>Fri</i>	<i>Sat</i>
		1	2	3	4 <b>Off-Day</b>	5
6	7 <b>Labor Day</b>	8 <b>Health &amp; Welfare Trust</b> 11:00 a.m. ZOOM	9	10	11	12
13	14	15	16	17	18	19
20	21	22 First Day Of Autumn	23	24	25	26
27	28	29 <b>JATT</b> 2:00 p.m. ZOOM	30			

## **CONTRA COSTA CHAPTER**

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