

## THE MONTEREY CURRENT

### May, 2015

#### **INSIDE THIS EDITION:**

*Collective Bargaining Concluded*

*Sick Leave Legislation – Important Update!!*

*Changes in Local #234 Dispatch Procedure*

*NECA West Worker Compensation ADR Program Update*

*Estimating Class Scheduled*

*Classes Offered through JATC*

*Congratulations to Those Completing Classes*

*LU #234 Availability List*



**“Once you replace negative thoughts with positive ones, you’ll start having positive results.”**

Willie Nelson

#### **COLLECTIVE BARGAINING CONCLUDED**

We recently concluded negotiations with IBEW Local #234 for the Inside Agreement. The Local Union will take the proposed settlement to their membership for ratification on May 13, 2015. Upon ratification, the settlement, new wages and new agreement will be distributed to our membership. Should you wish to receive a preview of that settlement, please contact Jerri Champlin at (831) 236-1393.

#### **SICK LEAVE LEGISLATION IMPORTANT UPDATE!!!**

***Recently, during our negotiations with Local #234, we were unable to insert language in the Inside Agreement to exempt our employers from the legislation included in Assembly Bill 1522. Therefore, effective July 1, 2015 those employees working under***

***the Inside Agreement will be entitled to paid sick leave. The following article was previously distributed in our October 2014 newsletter and bears repeating. We will be distributing additional assistance to all of our members with regard to this issue.***

*Article provided by Politico  
From October 2014  
Newsletter*

Gov. Jerry Brown recently signed Assembly Bill 1522, which will require nearly all California employers to provide a minimum of three paid sick days to their workers each year.

Business groups across the state, including NECA, opposed the legislation. While we opposed the measure throughout the process, we were able to secure amendments specifically for the construction industry that will provide construction employers with some relief from the new law.

Those amendments provide that:

1. Employees in the construction industry covered by a valid collective bargaining agreement entered into **before** January 1, 2015 are **not** covered by the new law.

2. Employees in the construction industry covered by a valid collective bargaining agreement entered into **after** January 1, 2015 are not covered by the new law if the collective bargaining agreement expressly waives the requirements of the new law in clear and unambiguous terms.

**The new law will go into effect on July 1, 2015.**

#### **Additional important information:**

- "Pay" is at the employee's base rate.
- The right to use paid sick leave begins at 90 days of employment.
- Sick leave accrues from the first day of employment.
- The employee earns an hour of sick pay for each 30 hours worked.
- The employer can limit paid sick leave to 3 days or 24 hours per 12 month period (rolling,

calendar, or anniversary year).

- Accrued sick leave carries over to the next year. But the employer can cap accrual at 48 hours or 6 days.
- Personal time off (PTO) and existing sick plans may be sufficient if they satisfy the minimums in the law.
- Employees who are reinstated within 12 months from termination with the same employer are entitled to any sick leave that accrued while previously employed with that employer.
- No requirement to payout unused sick leave upon termination.
- The employer must include the accrued balance of sick pay on the employees wage statement or provide a separate document at each pay day.
- No private right of action. The law is enforced by the DLSE or the attorney general.



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## **CHANGES TO LOCAL #234 DISPATCH PROCEDURE**

Business Manager Andy Hartmann has notified us that he has have updated the Dispatch Procedure for Inside and Sound & Communications. The updated policy takes effect on May 1, 2015. A copy has been mailed to everyone on the Books.

The most significant change, as required by the International Office, will be that dings will be issued to those that could have been referred but did not respond. For example, there are 40 applicants on the out-of-work list and there is a call for (1) Journeyman Wireman. Number 37 on the list bids on the call and takes the job. Then every applicant from position #1 to #36, because they did not call in, will receive a ding (for Inside applicants designated Zones will determine if dings are issued). This update brings our Dispatch Procedure in compliance with the International's Change in Referral Procedures.



## NECA WEST WORKERS COMPENSATION ADR PROGRAM UPDATE

We are delighted to bring you some good news regarding your options for workers' compensation insurance.

On March 23, 2015, the Board of Trustees of the NECA/IBEW Workers' Compensation Trust ("Trust") approved a resolution allowing any insurance carrier to access the NECA ADR program. **Therefore, beginning immediately, any California NECA Member in good standing may use the NECA IBEW ADR program** through their affiliation with the NECA West (Safety Group).

The NECA IBEW ADR (*alternative dispute resolution*) Program has been in existence for over 20 years, and provides significant benefits to participating NECA Members, because it lowers the cost of resolving claims. As you know, lower claim resolutions costs reduces the total costs of claims, which reduces the contractor's

experience modification (x-mod), which in turn means that carriers will give the contractor a lower premium quote.

For years, nearly all of the large California NECA Members have used the NECA IBEW ADR Program as well as NECA West (Safety Group) participants who were insured through the Safety Group's single, exclusive carrier. This benefit is now open to all California NECA Members, **regardless of broker or insurer or premium size**, without any restriction. Some insurance carriers are already prepared to issue ADR policies. This allows any carrier potentially to offer ADR policies to NECA Members.

**NECA Members, please forward this information to your broker, and let your broker know that you want to get a quote from a carrier using the NECA IBEW ADR Program.** Over time, this will lower your x-mod and reduce your premium, compared to what it would have been. It is really quite simple: *lower costs translate to lower premiums over time.*

By way of background, years ago the Trust created a \$250,000 minimum premium threshold to allow additional insurer's to insure members of NECA to participate and to relieve larger employers of

the requirement to be insured by the "single" endorsed insurer for the NECA group of employers. However, the \$250,000 number was initially chosen for convenience only when separating out the individual insurers from the "single" endorsed insurer for the group. After further review, the premium distinction has now been dropped as a way to benefit all NECA Members. Any insurance carrier who wishes to participate must agree to abide by the requirements of the ADR Agreement and Rules and contribute whatever fees are agreed upon between the Trust and the NECA Member.

These are some other points to keep in mind: First, many carriers will give NECA Members using the ADR Program a discount (e.g., 5% discount) just for using an alternative dispute resolution program. However, the more significant financial benefits to Members will occur over time as the Member's x-mod will be lower than it would have been, because claim resolution costs are likely to be lower with the NECA IBEW ADR Program.

Second, in addition to anticipated lower premiums, the alternative dispute resolution process will facilitate a smoother, more expedient processing of the entire workers' compensation

claim process for the contractor, employee, insurer and medical provider. This is accomplished through a separate claim resolution system, using Dick Robyn (former California workers' compensation judge) and his team at American Ombudsman Enterprises ("AOE"). To cover such costs, for participating Members there will be a fee not to exceed 4% of the annual premium, which will be billed to you in quarterly installments.

Combined with a strong safety program, using the NECA IBEW ADR Program for workers' compensation insurance can greatly benefit California NECA Members.

If you have any questions about your participation, or insurers that currently offer ADR, we invite you to contact Malecia Golf at:

Phone: (480) 553-6257

Email:

maleciagolf@gmail.com



## ESTIMATING CLASS STILL AVAILBLE

Basic Estimating of Electrical Construction Dates: Monday – Thursday, June 8-11, 2015

Location: Northern CA  
Chapter Office  
6300 Village Pkwy, Dublin  
Instructor: Bob Mooty

NECA Member Cost:  
\$725.00 Non-Member  
\$1,025.00 (includes material  
& meals)

Prerequisite: An understanding of electrical construction and the application of electrical material and completion of NECA's Introduction to the Manual of Labor Units online course (included with registration). Small mistakes in an estimate can have a huge impact on your bid's bottom line and this course provides the tools needed to be both comprehensive and competitive. This course will discuss the process for assembling an estimate including: developing material lists, applying labor unit data, material takeoff, and application of direct job costs, overhead, and profit. Following this class, participants will be able to:

- List types of mistakes found when estimating electrical construction projects and how to avoid them
- Describe the parts of an estimate
- Explain the importance of establishing the true cost for a project
- Develop an estimate to provide job management information
- Discuss how labor units can be used to competitively bid projects
- Explain the difference

between a competitive bid and simply a low bid Target audience: Individuals who are new to estimating or are looking to hone their skills Duration: Four-days Continuing Education Hours: 24 Hours The following items are necessary for the successful participation of attending the course: - One engineer scale - One architect scale - Rota meter with 1/4" and 1/8" scale - Counter - Calculator TO SIGN UP FOR THIS COURSE: Send an e-mail to Juanitas@norcalneca.org with your name and email.



## MAY IS ELECTRICAL SAFETY MONTH

The [Electrical Safety Foundation International \(ESFI\)](http://www.esfi.org) promotes electrical safety across North America by facilitating public education throughout the year and observing [National Electrical Safety Month \(NESM\)](http://www.esfi.org) each May. Promotional materials that electrical contractors and others may use to join in the campaign are available on ESFI's website at [www.esfi.org](http://www.esfi.org).



Each May, ESFI sponsors National Electrical Safety Month to raise awareness of potential home electrical hazards and the importance of electrical safety. This



annual effort supports ESFI's yearlong campaign, [4 Seasons of Safety](#), which educates the public about fire and electrical safety dangers that are related to common seasonal activities.

"As we become increasingly dependent on electricity, it is important that the public understands how to identify and correct the electrical hazards that are commonly present in their homes," said ESFI President Brett Brenner. "In addition to the hazardous situations we can control, we must also be mindful of the fact that severe weather can strike at any time. Being prepared can help mitigate disastrous situations."

The [National Fire Protection Association \(NFPA\)](#) estimates that 47,700 home structure fires reported to U.S. fire departments each year involve some type of electrical failure or malfunction as a factor contributing to ignition. These fires result in 418 civilian deaths, 1570 civilian injuries and \$1.4 billion in direct property damage. Awareness and education are critical to reduce the incidence of electrical fires and ESFI sponsors National Electrical Safety Month to educate the public and reduce the number of electrically related fires, fatalities, injuries and

property loss.

Featured content in Electrical Safety Illustrated includes resources that provide an overview of the National Electrical Code® (NEC) process and address the importance of timely adoption; an illustrated guide that explains the importance of arc fault circuit interrupters (AFCIs) and ground fault circuit interrupters (GFCIs), and the differences between them; a graphic that explains tamper resistant receptacle (TRR) technology; a National Electrical Safety Month quiz; tips for [avoiding counterfeit electrical products](#); and important information on home surge protection.

Additionally, ESFI also offers a collection of [workplace safety resources](#) to help those in the field make electrical safety a business priority.

ESFI encourages the sharing of its campaign resources and developed The [National Electrical Safety Month 2014 Electrical Safety Advocate Guide](#) to provide the resources necessary to raise awareness of electrically safe practices. Whether you want to educate a loved one or raise awareness in your community, school or workplace, this guide provides step-by-step instructions on how to be an Electrical Safety Advocate and help champion ESFI's

goal of minimizing electrically related deaths and injuries.



## UPCOMING CLASSES OFFERED THROUGH THE JATC

### CPR/FIRST AID

A CPR/First Aid Classes are ongoing – with the next class scheduled for Saturday, May 2, 2015. Roni Jane Sudyka will be the trainer and the class is always well received. Blood borne pathogens will also be covered.

### CALCTP

California Advanced Lighting Controls Training Program (CALCTP) with Instructor Stephen Slovacek is looking for participants. This class is a total of 50 hours: 10 hours of lecture and 40 hours of lab. The class schedule will be coordinated with those in attendance. **YOU MUST BRING PROOF OF COMPLETING THE ONLINE COURSE TO THE FIRST CLASS OR EMAIL TO [stacy@tricityjatc.org](mailto:stacy@tricityjatc.org).**

Students will not be allowed to attend the class if they have not completed the online coursework. Go to [bit.ly/IBEW234CALCTP](http://bit.ly/IBEW234CALCTP) to get started today. There is a \$125 stipend available upon successful completion provided by the Monterey Bay LMCC.

## **CALCTP-AT**

The JATC is also taking sign-ups for the California Advanced Lighting Controls Training Program-Acceptance Testing (CALCTP -AT) with Instructor Stephen Slovacek. This class is a total of 24 hours. The class schedule will be coordinated with those in attendance. The prerequisite for this class is completion of the 50 hour CALCTP. An application form must be completed prior to starting class. To register for this class there is a \$225 application/record maintenance fee. Go online to [goo.gl/qkW7AI](http://goo.gl/qkW7AI) to complete an application and pay the application/record maintenance fee. There is a \$125 stipend available upon successful completion provided by the Monterey Bay LMCC.

## **NFPA 70-E**

A NFPA 70E class with Instructor David Martinez is scheduled for Saturday, May 16th from 8am to 2pm. David will teach the standard for electrical safety in the workplace. Call Stacy at (831) 633-3063 to reserve your place.

## **NEC GROUNDING AND BONDING**

NEC Grounding and Bonding, with instructor David Martinez will be held

on the third Tuesday of each month. Drop on in! You are welcome to attend one class or as many as you like. This is a (3) hour class. The next class is scheduled for Tuesday, May 19th at 5:30 p.m.

## **CONFINED SPACE**

Do you know how to safely handle confined spaces? Many workplaces contain spaces that are considered "confined" because their configurations hinder the activities of employees who must enter, work in, and exit them. A confined space has limited or restricted means for entry or exit, and it is not designed for continuous employee occupancy. This 8 hour class is scheduled for Saturday, May 30th at 8am. Call Stacy at (831) 633-3063 to reserve your place. Class size is limited.

Interested in any of these classes? Contact Stacy at the JATC office for more details! (831) 633-3063.

## **CONGRATULATIONS TO THOSE WHO HAVE COMPLETED UPGRADE CLASSES**

Congratulations to the following individuals who have recently completed classes offered through the apprenticeship program! We appreciate your commitment to the industry!

## **SIGNIFICANT CHANGES TO THE 2014 CODE**

- Hector Camacho
- L. Earl Davis
- Ralph Yniguez
- Kasey Jeska
- John Aiello
- Phil DiGirolamo

## **CALCTP 5.0**

- BJ Heading
- Robert Campbell
- Miguel Bustos

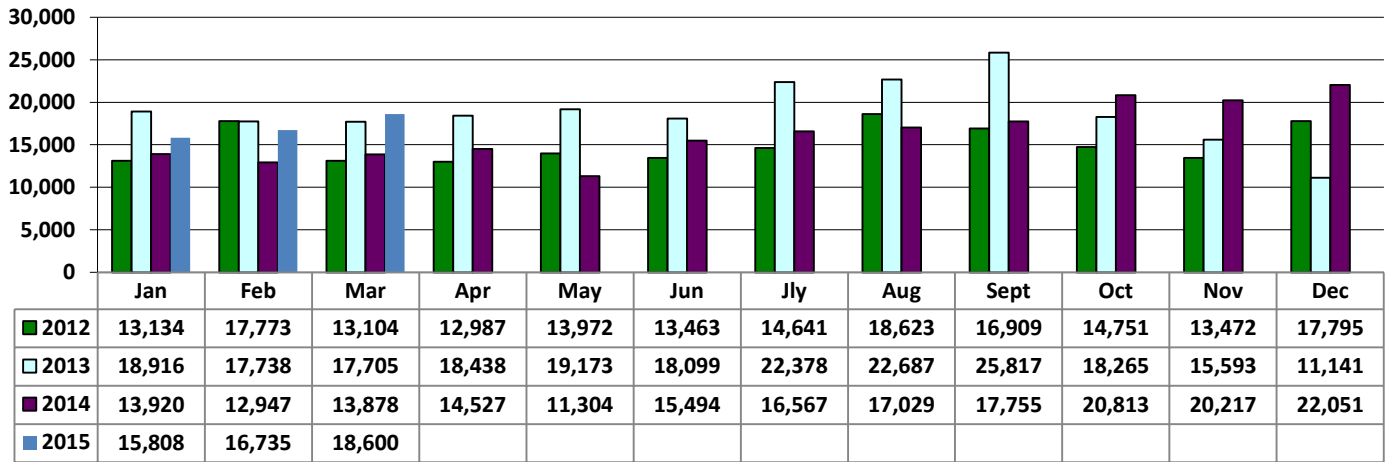
## **OSHA 10**

- Sabyn Cupples
- Phil DiGirolamo
- Ivan Garcia
- Beau Kelly
- Sean Kent
- Andres Laureano
- Ruben Lozano
- Bradley Machado
- Patricio Ortiz
- Juan Palacios

## **LOCAL #234 AVAILABILITY LIST UPDATE**

On the Inside Out-of-Work List, there are 27 on Book 1 and 36 on Book 2. For Sound & Communications there is 1 on Book 1 and 1 on Book 2. The Local Union has 4 CW's and CE's on Book 1 and 6 on Book 2. There are no Inside apprentices out of work at this time.

# INSIDE MONTHLY HOURS REPORT



# UPCOMING EVENTS CALENDAR



May 10, 2015

Mother's Day

May 22, 2015

Floating Holiday Observed

May 25, 2015

Memorial Day

May 27-29, 2015

Women in NECA Conference  
Atlanta, GA

June 8-10, 2015

Basic Estimating Class  
Northern California Chapter

June 11, 2015

Board of Directors Meeting

July 9-10, 2015

District IX Meeting  
Laguna Beach, CA

National Training Institute

July 25-31, 2015

University of Michigan

October 3-6, 2015

National Convention and Trade Show  
San Francisco, CA