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DAVID LONG APPOINTED TO DOL ADVISORY COMMITTEE

David Long, NECA CEO, has been appointed to the US DOL’s newly reinstated Advisory Committee on Apprenticeship. The members of this committee provide advice and recommendations on issues related to Registered Apprenticeships.

The Advisory Committee will also promote greater awareness of the benefits of apprenticeships, foster increased alignment between apprenticeship opportunities and workforce and education systems, expand apprenticeships into new industries and occupations and ensure equity for under-represented populations.

Long joins 28 other members representing employers, labor management organizations, community colleges, and other institutions. The relaunch of the Committee was announced by

President Biden in February 2021, and Long will represent NECA as the voice of the \$171 billion electrical construction industry.

“The Advisory Committee on Apprenticeship represents the combined expertise of leaders across industry and workforce sectors,” said Secretary of Labor Marty Walsh. “Their collective voices will inspire innovative apprenticeship and training strategies to boost our economy and build an equitable workforce by delivering a system that is better aligned with the needs of historically marginalized communities.”

As a member of the Advisory Committee on Apprenticeship, Long will serve a two-year term. The first meeting of the committee takes place on Oct. 6, and all meetings are open to the public.

**TO BENEFIT ...
PARTICIPATE!**





NECA ANNOUNCES COVID-19 PROTOCOL FOR CONVENTION

It is almost Convention time here at NECA, and we are excited to move forward with NECA 2021 Nashville! As you know, in this COVID-19 environment, we have been in constant communication with the City, the Convention Center, and all of our destination partners related to travel and venue protocols for our annual event.

The bullet points below provide our NECA community with up-to-date information on Convention and set forth our final NECA 2021 Nashville protocols as we strive to provide a safe environment for all attendees:

NECA hired Epistemix, a computational modeling software company that develops simulations to fight disease and inform policy, to model the safety of NECA 2021 Nashville based on the expected number of

attendees (7,000-7,500), number of exhibitor companies (250), the average age of attendees, vaccination coverage of attendees, the vaccination coverage in Nashville and other factors.

The scientific data produced for NECA forecasts a 50% decrease in potential COVID-19 cases if masks are worn at indoor events. Epistemix also predicts that cases in Nashville are projected to peak in mid-September and begin decreasing prior to NECA 2021 Nashville.

As a result of this data and the current CDC guidance, NECA will implement a mandatory mask policy at all indoor areas for its opening reception at the Wild Horse Saloon, as well as all indoor areas of the Convention Center, including all general sessions, the trade show floor and the closing reception. The mask mandate will be enforced by Convention Center Security as well as uniformed Nashville Police officers.

NECA is contracting with an online vendor to prepare and distribute a secure online health and wellness questionnaire that must be completed and submitted by attendees in order to register for a badge at Convention.

NECA attendees are encouraged to comply with all other facility masking and

COVID-19 related requirements at hotels, restaurants, and bars and to feel free to wear a mask at their discretion outside of the referenced indoor venues.

As always, social distancing is encouraged at all appropriate times. NECA is working hard to secure additional outdoor space to facilitate such distancing.

NECA will update this convention information if relevant conditions warrant. We look forward to seeing you at Convention!



WINE AND WISDOM

It's all systems go for the first ever Wine and Wisdom event! Please make plans to join us for this event on **November 17-21, 2021**. It will be held at the beautiful Allegretto Resort in Paso Robles and we have a great lineup of speakers as well as some fun events to enjoy together. The tentative agenda has been emailed to members. Please mark your calendar!

California's COVID-19 Supplemental Paid Sick Leave Has Expired

California put in place its extended COVID-19 paid sick leave in March of 2021, months after the federal program expired at the end of 2020. Employers with more than 25 employees were tapped with providing the leave. The state tied the end of the program to the September 30, 2021 elimination of the federal tax credits for offering the leave. The legislature did not extend the sunset on the leave and it expired on September 30th.

Please note that employees who take COVID-19 paid sick leave on or before September 30, 2021 are allowed to take the paid leave past that date.

Also, even though the state requirement has sunset, some cities and counties that enacted their own COVID-19 paid sick leave ordinances that have expiration dates extending beyond this time. Contractors operating in these cities and counties need to be aware of these obligations. Cities and Counties listed include Emeryville City, Long Beach City, Los Angeles City and County, Oakland City, San Diego City and San Francisco City and County,

Governor Signs NECA Sponsored Legislation to Protect Contractors

Governor Newsom has signed AB 830 to protect contractors who use a "Responsible Managing Employee" (RME) as the qualifier on their contractor license. The legislation clarifies that an RME qualifier on a contractor license is a valid qualifier and that the requirements for "supervision and control" on a construction project may be accomplished by the RME either directly, or indirectly by supervising designated employees.

AB 830 was necessary in response to recent litigation; D.A. McCosker Construction Co. v. California Department of Water Resources. In the case, a judge in the Superior Court of Sacramento found that because the contractor was working on multiple projects, the RME could not be satisfactorily involved in the California Department of Water Resources project, and as such, the contractor was operating as an unlicensed contractor. By the judge determining independently what "supervision and control" means and declaring the contractor unlicensed, he placed the contractor in a position of being disgorged of all funds paid on the project. As a result of the Court's decision, it became possible for an RME's status as a qualifier on a license to no longer be determined by regulation, but instead by individual judges.

As a practical matter, contractors and subcontractors who perform work on large public and private construction projects have multiple jobs underway at any given time. Each project is assigned a project manager who is responsible for managing each individual project, whereas the RME is often an employee responsible for managing the operations of the licensee. Pursuant to the Judge's ruling, it would be unclear how a contractor whose license is held by an RME could continue perform on multiple jobs without being placed in jeopardy of being found to be unlicensed.

AB 830 address this issue long term, by placing in state law, clarity that an RME is a valid qualifier on a license and can provide "supervision and control" either directly, or indirectly by supervising designated employees.

Newsom Signs Legislation to Extend Industry Exemption to AB 5 for Construction Trucking

The Governor has signed AB 1561 to extend the sunset on the exemption granted to construction trucking subcontractors from the provisions of AB 5. AB 5 codified the "ABC test," the test now broadly used to determine whether a worker is considered an independent contractor or an employee. This test was established by the California Supreme Court's ruling in

Dynamex Operations West, Inc. v. Superior Court, (2018) 4 Cal.5th 903.

The exemption language was placed into AB 5 to remove the holding in the Dynamex court decision from determining employee or independent contractor status between contractors and independent owner operators providing construction specific trucking services. In its place, AB 5 created a new standard that allowed for the previous and long-standing test adopted by the California Supreme Court in the case of S. G. Borello & Sons, Inc. to provide the determination of employee or independent contractor status, so long as the independent owner operator providing the construction trucking service can demonstrate true independent contractor status. The exemption was necessary to address significant operational impacts that AB 5 brought to the industry, which would have shutdown jobsites. The exemption will now sunset on January 1, 2025, providing the industry three additional years to develop compliance with AB 5.

NECA SAFETY LEADERSHIP SUMMIT NOVEMBER 1-3, 2021

The NECA Safety Leadership Summit is a unique conference for expanding leadership skills to persons responsible for safety throughout the electrical industry, in addition to providing an avenue to create new safety

leaders within an organization. This event differentiates itself from the NECA Safety Professionals Conference in that it provides leadership perspectives for management and company executives with valuable insight and the tools needed to be successful in developing and communicating overall organizational risk management strategies at all levels—from the field employees, to management, to the CEO level. Networking opportunities to interact with peers, other professionals, and executives are integral and key tenets to this Safety Leadership Summit.

The Safety Leadership Summit will take place in-person, Nov. 1–3 in Chicago.



COMING THIS FALL 2021: NECA.net.org

This fall, NECA will be launching a new experience on necanet.org. Beyond a redesign, this new website will provide users with brand-new ways to interact with NECA's web resources.

What can I do to get ready?

Log in to your current NECA profile with your USER ID and password. Ensure that your

profile's email address is completely up to date—this will make the transition to the new login experience as seamless as possible. This email address will be your username for the new website.

This update is being conducted with security in mind, and will enable users to more easily use necanet.org.

Stay tuned for more information in the coming months.

CONGRATULATIONS TO THOSE COMPLETING CLASSES

No classes were completed in September.



UPCOMING CLASSES OFFERED THROUGH THE JATC

All upgrade classes have gone back to 100% in-person learning at the training center

SIGNIFICANT CHANGES TO THE NEC

Significant Changes to the 2017 NEC with David Martinez will be held at the training center on **Tuesday, October 19th, 2021** from 5:30pm – 8:30pm.

FIRST AID/CPR

First Aid/CPR is back to in person training only. The class

will be held on **Saturday, October 9th 8am – 1pm** with CPR / First Aid with instructor, Merralinda Goddard. To sign up for the class, please contact Stacy at the JATC office.

APPRENTICE APPLICATION INFORMATION

The Tri-County Electrical JATC is accepting applications on a year-round basis. **OUR PROCEDURES HAVE CHANGED!!!** Please note that we will only accept online applications and applicants need only follow the directions contained in our website to apply. The next aptitude test has been scheduled for August 7th and August 21st. The deadline

for applications is July 2nd for those test dates. For more information regarding the process, please click in the following link:

[JATC INFORMATION](#)

JATC PART-TIME POSITION AVAILABLE

The JATC has an opening for a part-time Receptionist with light clerical duties. The hours will be Mondays through Thursdays, 12pm—5pm. **REQUIRED SKILLS AND EXPERIENCE** ♦ Excellent communication skills in person, on the phone, and in writing ♦ Competency in word processing, databases, and email (specifically Microsoft Office) ♦ Strong attention to details and ability to follow instructions ♦ Confidentiality ♦ Data management ♦ Capability of working independently or with little supervision ♦ Consistency, dependability, and punctuality **TITLE:** Receptionist / Clerical **COMPENSATION:** Commensurate with experience **ESTIMATED START:** Immediately **LOCATION:** 10300 Merritt Street, in Castroville, CA If you know anyone interested in the Receptionist position at the JATC, please have them submit a resume at: info@tricountyjatc.org

JATC INSTRUCTORS NEEDED!

The JATC is seeking instructors for apprenticeship and journeyman training courses on an ongoing basis. If you or someone that you know is interested in teaching – even to substitute or teach journeyman upgrade classes, please contact Stacy at the JATC office for more information. Your help in teaching our future generations is always greatly appreciated.

AVAILABILITY LIST UPDATE

On the Inside Out-of-Work List, there are 33 on Book 1, 14 on Book 2, 13 on Book 3 and 1 on Book 4. There is 1 on Book 1, 0 on Book 2, 0 on Book 3 and 0 on Book 4 for Sound & Comm. There is 1 on CW Book 1 and 2 on Book 1 -- no CE's available. There are 3 Inside apprentice available for work at this time. Should you need an apprentice, be sure to contact Stacy at Stacy@tricountyjatc.org

A MESSAGE FROM RASHA

Hey October!

During this season, statistics have shown that there is an incline in depression and anxiety, especially this pandemic duration. Some employees may come to you with news that they are facing a difficult time as the world continues its recovery process. In fact, I have had some contractors call me for some advice pertaining to this matter. Here are some helpful tips on how to respond to such news.

1. Acknowledge : “Thank you for telling me” or “Thank you for trusting me with this matter.”
2. Ask: “When did this happen?” or “What set this off?”
3. Seek and summarize: See what they are trying to communicate. For example: “I hear you say that you are having a difficult time because of _____. Is this correct?”
4. Validate: “I can only imagine...” or “I am sorry that you are experiencing this.”
5. Show Concern: “Is there something I can do to help you with this process?”
6. Close with Commitment: remind your employee of the value they bring to your team and offer an open ear.

Here are also some online resources you can offer:

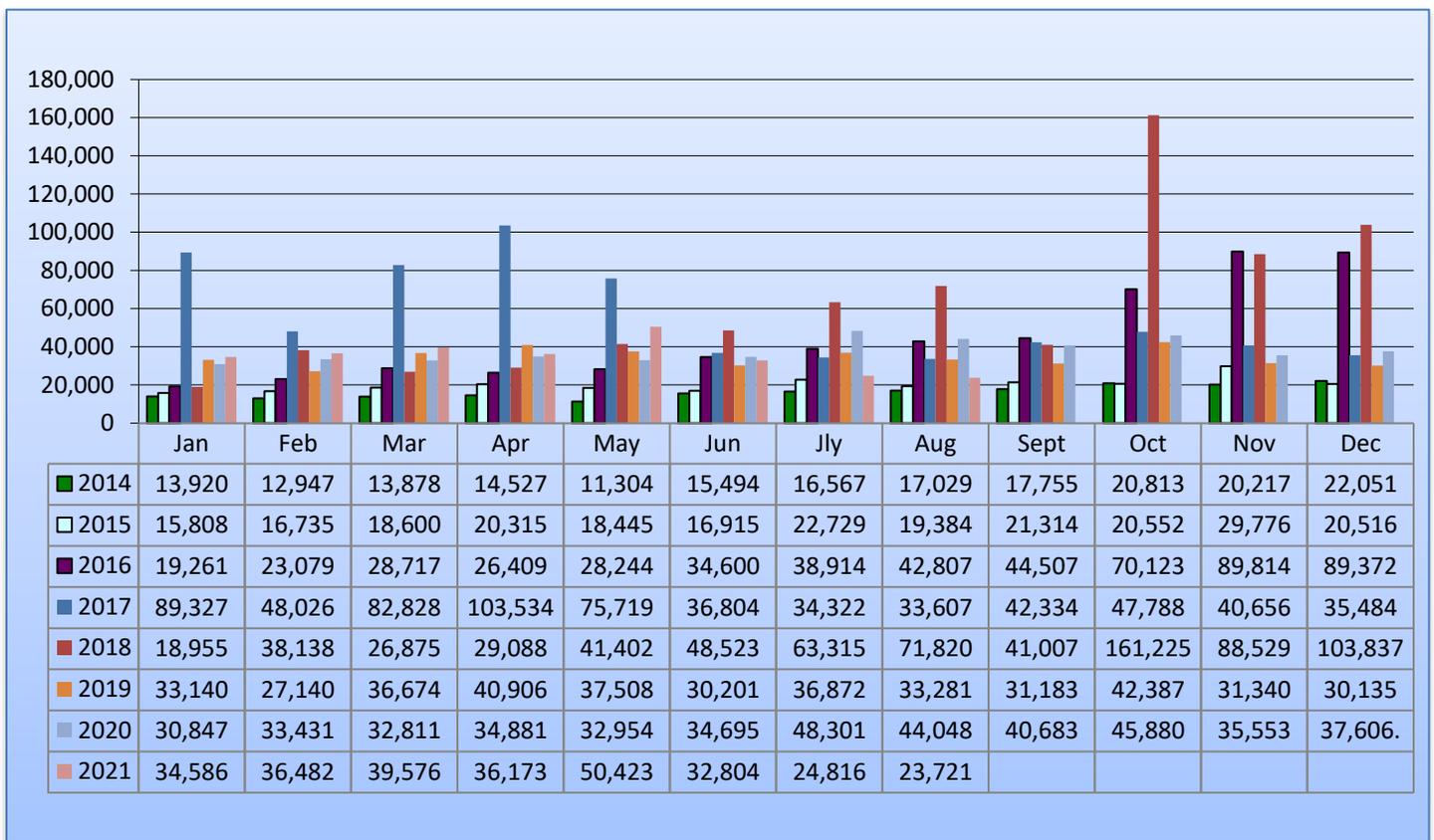
Talkspace www.try.talkspace.com – 24/7 Therapy online services

BetterHelp www.betterhelp.com - Largest Online Network of Therapists

7cups www.7cups.com- Affordable monthly Counselling services

I am also available 4 days a week via phone 831-731-0460 and anytime via email (preferred) or text rasha@ibew234.org or rasha@ibew234advocate.com

INSIDE MONTHLY HOURS REPORT





October 9-12, 2021

NECA Convention
Nashville, TN

November 1-3, 2021

NECA Safety Summit
Chicago, IL

November 17-21, 2021

Wisdom and Wine
Education Course & Retreat
Allegretto Resort
Paso Robles, CA

December 1-3, 2021

Electrical Training Alliance
Regional Seminar
Las Vegas, NV

December 3, 2021

NECA Chapter Christmas Party
Chaminade Resort
Santa Cruz, CA
By Invitation Only