



September, 2024

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TO BENEFIT ... PARTICIPATE!

CA COUNCIL OF CHAPTERS

The California Council of NECA Chapters is working together to develop a NECA branded *Guide to Prompt Payment, Retention, Change Order and other Payment Process Laws*. The group decided that it would be beneficial to all NECA members in California to create this document that will assist contractors with collecting contract payments.

As you know, there are a myriad of laws and contract provisions that have historically clouded the payment process. With the assistance of Eddie Bernacchi (*The Politico Group*) and the Sweeney Mason LLP law firm, we will develop a guide that summarizes and explains the processes necessary to utilize the Prompt Payment Law, Retention laws, Change Order and Payment Process Laws. Included within this guide will be sample letters for contractors to use when dealing with general contractors or owners in order to remove possible points of

friction. The guide is expected to be available in early 2025.



DIR Update on Public Works Website Issues

The Department of Industrial Relations (DIR) has issued a situational update regarding the status of the [Public Works Website](#) and issues related to Project Registration (PWC-100), Public Works Contractor Registration (PWCR) and Certified Payroll Reporting (eCPR) registration. Please see below.

Message to Public Works Contractors and Awarding Bodies

Recent updates to the public works website services include:

(1) Manual eCPR- crafts and classifications updates:

- electrician, glazier, painter sheet metal worker carpenter, plasterer, roofer

tile finisher, and more are now added.

(2) eCPR Employee Note: section updates:

o The Employee Note: section, which was previously limited to 49 characters, now allows up to 500 characters.

§ This field should be used to itemize additional deductions or contributions that are not available in other eCPR fields and to address manual calculations needed to adjust the total gross wages (for example, for garnishments or 401k contributions).

o The eCPR proof of submission report

can be exported and printed from the dashboard to verify the date of submission for the general contractors awarding body.

In June, DIR launched modernized Public Works website services, including a new unified platform to replace the PWC-100, PWCR, and eCPR applications.

There were technical issues encountered with the initial launch regarding associating accounts that impeded some registration or renewal attempts in the new system. We apologize for the inconvenience and

appreciate the timely information provided by system users regarding the system errors, which helped us identify and resolve them. We appreciate your continued patience as we make improvements to the new system.

Many users are now learning the new system and can find the answers to their questions in the [online support center](#) which has recorded trainings, user guides, FAQs and other resources.

Please refer to the [online support center](#) before contacting the Public Works Unit.

If you need further assistance after consulting the support center, email Publicworks@dir.ca.gov.

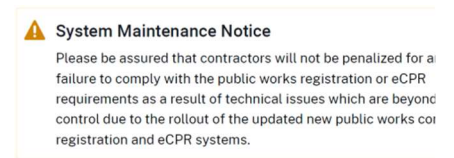
Your email inquiry will be addressed in the order received. There is no dedicated phone line to assist with the technical support of Public Works registration and payment through the system. Our goal is to respond to your emails within five to ten business days.

Note: Contacting DIR phone numbers and emails outside of the Public Works unit will not result in additional assistance or information. Please refer to the online

[support center and public works email for assistance.](#)

DIR's new online portal continues to have glitches which have created issues for some contractors attempting to submit certified payroll online or to register or renew registration as a public works contractor with DIR.

DIR recognizes this problem and has posted the following notice on its webpage:



However, it is recommended that contractors experiencing issues:

- Continue to pay all prevailing wages and prepare weekly certified payroll reports ("CPR").
- Attempt to upload eCPRs in a timely fashion and document any errors or rejection messages by printing your computer screen which includes the date and time.
- For each failed attempt to upload an eCPR, email DIR at publicworks@dir.ca.gov to notify them that DIR's computer

system failed to upload the reports.

- Assure your contracting partners of your continuing payment of prevailing wages and attempts to substantially comply with the statutory reporting requirements by providing the weekly CPR (redacted to remove private information such as social security numbers and addresses) to the general contractor, project owner, and any Labor Compliance Officer, as applicable.
- Once DIR's Public Works website is functioning properly, upload all eCPRs that you were previously prevented from submitting.

For contractors who have been unable to complete their DIR public works contractor registration and therefore cannot submit eCPRs, follow the same guidance above for documenting registration attempts, error messages, and communications with DIR. If you have proof that you registered previously and the registration is good past 2024, keep that documentation. If needed, provide this documentation to the general contractor, project owner, and any

Labor Compliance Officer, as applicable.

AB 1034 is Pending Approval by the Governor - Act Now to Extend Legislative Authority to Wave PAGA Within Industry CBAs



AB 1034 PENDING APPROVAL BY GOVERNOR – PAGA

We are urging all NECA contractors to again use our [grassroots advocacy page](#) to send a preformulated email to Governor Newsom asking him to sign AB 1034, which would extend the sunset authorizing signatory construction employers and local unions to waive the application of the Private Attorney General Act (PAGA) within their Collective Bargaining Agreements (CBAs).

As a reminder, PAGA gives employees in California the right to file lawsuits against employers that violate, even in the most technical or clerical manor, any portion of the California Labor Code. PAGA also allows workers to file a lawsuit on behalf of

groups of employees. Aggrieved employees can recover civil penalties, whether on behalf of themselves, other workers, or the state. The union construction industry is the only industry in the state that is allowed to become exempt from PAGA by providing a waiver within its CBAs. It's imperative that the Governor extend the sunset on this important industry CBA carveout.

We need emails sent to Governor Newsom ASAP! [Send the email now!](#)

Summary

AB 1034: In a herculean effort by the industry during the last weeks of the 2024 legislative session, we were able to gut and amend a bill ([AB 1034](#)) and pass it through all required policy, fiscal and floor votes over a 10 day period. The measure extends the sunset date authorizing Union Contractors and Local Unions to include within their CBAs, language that removes an employer's exposure to lawsuits originated under PAGA. The bill now sits before Governor Newsom for consideration.

Background: Current state law provides an exception to PAGA for construction industry employers and employees who enter into a Collective Bargaining Agreement (CBA) that provides premium wage rates, a grievance and binding arbitration procedure to redress wage and hour issues and expressly waives the requirements of PAGA in clear and unambiguous terms.

The Issue: In 2028, the statutory CBA PAGA exemption language secured in 2018 is set to expire or "sunset," but the law also states that any CBAs that are entered into after January 1 of 2025 will cease to be eligible for the union construction industry carveout. The 2025 date puts many of our industry CBAs in jeopardy of losing the protection.

The Solution: Eliminate the confusion of the 2025 date and extend the 2028 sunset date out ten years to 2038. [AB 1034](#) does this.

Governor Newsom has until September 30th to sign or veto all legislation before him. It's important to request his signature of AB 1034 today!



ELECTRI INTERNATIONAL UPDATE

Electrical Construction Career Map: ELECTRI International and Powering America are proud to announce the launch of the "[Electrical Construction Career Map](#)," an innovative tool designed to enhance career development and workforce awareness within the electrical contracting industry. This initiative aims to increase awareness of career opportunities, intern and apprenticeship programs, recruiting efforts and career placement services in the industry.

Early Electrical Contractors Involvement (EECI): Benefits, Barriers and Selection Criteria Report: This [research report](#) explores the advantages, obstacles, and criteria for involving electrical contractors early in construction projects. The construction industry faces challenges with poor design quality, leading to increased change orders, costs and delays, especially in electrical disciplines. Early involvement of electrical contractors can improve

design quality, constructability, and value engineering. Despite recognized benefits, perceptions and challenges hinder implementation.

ELECTRI Business Coaching Program: ELECTRI's Business Coaching Network is open for business! ELECTRI has a great line-up of experienced contractor coaches ready to help contractors looking to expand into a new market, improve their operations, better navigate joint ventures, grow their business, or better manage cash flow and finances. If you are interested in receiving coaching, or being a coach for the program, visit the [Business Coaching website](#) and fill out the appropriate form



CONSTRUCTION SUICIDE PREVENTION WEEK September 9-13, 2024

In 2020, a mission-driven group of volunteers from across the construction industry came together with the goal of saving lives. They collaborated to launch the

inaugural [Suicide Prevention Week](#) for the industry – a week dedicated to raising awareness about the higher-than-average number of suicides in the construction industry, and to providing resources to help prevent those deaths! Every year, during September – National Suicide Prevention Month – the construction industry will dedicate a week to raising awareness about the unique challenges workers face in construction that lead to suicide and what we can do to prevent it. Together, we can save lives!

When it comes to preventing suicide, the idea of where to start can be overwhelming. The Construction Suicide Prevention group has compiled a [library of resources](#) to help you get started – from videos to websites to toolbox talks and much more, they have what you need to put a program together for your workplace that could save lives!

Use the resources provided by the Construction Suicide Prevention group to plan activities with your workers during Suicide Prevention Week. [Registering and participating companies](#) will receive an OSHA-recognized, industry-endorsed certificate of participation and badge you can display on your website and social media. In 2023,

nearly 300,000 construction workers representing 47 states and territories in the US registered their participation in Construction Suicide Prevention Week.

Further, if you are attending the 2024 NECA Convention, you have the opportunity to attend a pre-convention workshop “[Construction Suicide Prevention Outreach and Mental Health Program Train-the-Trainer](#).”

The VitalClog in Construction Train-the-Trainer program helps train employees at all levels in suicide prevention. It fosters dialogue on mental health challenges and promotes help-seeking behaviors to eliminate the impact of suicide. Participants become VitalClog trainers and receive support for implementing the training

988/OPIOID AWARENESS CHIPS AND STICKERS AVAILABLE

Construction Suicide Prevention and Opioid Overdose Awareness are top priorities within our electrical construction industry. “It’s Okay to Not Be Okay” is a message that resonates with all of our workers and the whole community. Now you can order the [NECA 988 Chips](#) directly from the NECA Store. In addition, [hardhat](#)

[stickers](#) are also available to promote these important topics and to help our co-workers, family and friends! Interested? Give Jerri a call to order.



PRIORITIZING MENTAL HEALTH IN CONSTRUCTION

The latest Bureau of Labor Statistics (BLS) [annual report on occupational injuries](#) revealed a 7.7% increase in construction fatalities and a 13.1% increase in suicides in 2022 over 2021. Among men in the US, UK and Australia, construction has one of the highest suicide rates of any sector.

This is a global issue for an industry that is prone to risk factors like physically demanding work, a stoic culture and long hours. Many are now aware of the magnitude of this issue, and as

awareness increases, so do expectations for employers to take action.

With an unprecedented need to attract and retain new talent, we need more people and we need them at their best. While construction is starting to recognize the importance of prioritizing mental health, the time is not for individuals, team leaders and organizations to move from awareness to action. [Click here](#) to read more from Construction Dive on how to take first steps into prioritizing mental health.

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

- *Give 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.



UPCOMING CLASSES OFFERED THROUGH THE JATC

PLEASE NOTE THAT ALL CLASSES REQUIRE REGISTRATION PRIOR TO THE CLASS.

PLEASE CONTACT DAMARIS IN THE JATC OFFICE TO SIGN UP (831) 633-3063

Please note that if you reserve a space and do not show up for class, you will be responsible for paying for the class.

CPR/FIRST AID

This class is scheduled for **Saturday, September 14, 2024 from 8am – 1pm**

Instructor Merralinda Goddard will be teaching on the basics of First Aid and CPR. Contact Damaris in the JATC office to sign up at (831) 633-3063.

Please note that class size is limited and sign-up is required. This is **NOT** a drop-in class. (Also note that if you reserve a space and do not show up for class, you will be responsible for paying for the class.)

NFPA 70E

NFPA 70E will be held Saturday, October 5, 2024 from 8am – 2pm with instructor, David Martinez. Sign-ups are required.



SCISSOR/BOOM LIFT TRAINING

Scissor / Boom Lifts training ** will be held Saturday, October 12th from 7:30am – 2pm (training done by United Rentals)

*Space is very limited and sign-ups are required. This is **NOT** a drop-in class.*

***when calling in to sign-up, please specify if you are recertifying or if this is your first time taking the training*

FORKLIFT/GRADALL TRAINING

Forklift / GradeAll training ** will be held Saturday, November 23rd from 7:30am – 2pm (training done by United Rentals)

*Space is very limited and sign-ups are required. This is **NOT** a drop-in class.*

***when calling in to sign-up, please specify if you are recertifying or if this is your first time taking the training*

CLASS COMPLETIONS

There are no class completions this month.



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 obtained in our website to apply. For more information

regarding the process, please click in the following link:

[JATC INFORMATION](#)

NECA 2024 SAN DIEGO

September 28–October 1, 2024

San Diego Convention Center



Presented by the National Electrical Contractors Association
www.necaconvention.org



Here's the re-cap of the upcoming convention. See you all there!

Opening General Session

RORKE DENVER

Navy Seal Commander, New York Times Bestselling Author Sunday, September 29 • 10:00 am–11:30 am

Commander Rorke T. Denver has run every phase of training for the U.S. Navy SEALs and led special-forces missions in the Middle East, Africa,

Latin America, and other international hot spots. He starred in the hit film Act of Valor, which is based on true SEAL adventures. His New York Times bestseller, Damn Few: Making the Modern SEAL Warrior, takes you inside his personal story and the fascinating, demanding SEAL training program. In his second book Worth Dying For: A Navy SEALs Call to a Nation, Rorke tackles the questions that have emerged about America's past decade at war—from what makes a hero to why we fight and what it does to us.

Monday General Session

KATIE LEDECKY

10x Olympic Medalist, 21x World Champion, 14x World Record Breaker Monday, September 30 • 10:00 am–11:30 am

One of the most dominant athletes the world has seen and among the most celebrated of her generation, Katie Ledecky is a 10-time Olympic medalist and 19-time World Champion—the most of any female swimmer. A record-shattering, history-making athlete, she has reached undeniable “GOAT” status. Katie became the most-decorated U.S. female athlete for a second consecutive Olympics when she won four medals at the 2020 Tokyo Olympics, making history by winning the gold in the first-ever women's 1500-meter freestyle, and becoming the first to three-peat in the 800-meter freestyle. Four years prior, at the 2016 Rio Olympics, she broke two world records while winning four gold medals and one silver medal, becoming the most successful U.S. female athlete ever at a single Olympics. Her Olympic legend began at the 2012 London Olympic Games, where she was the youngest U.S. athlete at just 15 years old. Showing confidence and maturity beyond her years, she delivered a win in the 800-meter freestyle race, beating out a field of more experienced competitors by four seconds to win her first gold medal.

Closing General Session

ROCCO MEDIATE

Professional Golfer
Tuesday, October 1 • 1:15 pm–2:30 pm

Rocco Mediate began his golf career at Florida Southern College, where he and his close friend, PGA Tour professional Lee Janzen, helped lead Florida Southern to the 1985 Division II national team championship. In 1985, Rocco turned professional. With his golfing career marred by back trouble, he compensated early on by using a long putter. In 1991, he became the first player to win on the PGA Tour using a long putter when he won the Doral- Ryder Open. Rocco has won six PGA Tour and four PGA Tour Champions events, earning over \$23 million dollars. In 2016, Rocco won the Senior PGA Championship. He has been featured in the top 20 of the Official World Golf Rankings and considered to be one of the best putters in golf.

[Attendee Brochure](#)

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, or if you have a specialty that you would like to assist in for one night, 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 50 on Book 1, 104 on Book 2, 31 on Book 3 and 14 on Book 4. There is 1 on Book 1, 1 on Book 2, none on Book 3 and 0 on Book 4 for Sound & Comm. There is 1 CE's on Book 1 and 0 on Book 2, 41 CW's on Book 1 and 0 CW's on Book 2 and 0 on Book 0 available. ***There are no Inside apprentices available for work at this time. New Apprentices are starting! If you have a need for a first year apprentices, please call Stacy with your apprentice needs.***

ELECTRICAL CONTRACTOR Launches Mental Health Hub

There is a rising understanding of the need for mental health support in the construction industry. The CDC considers [construction workers at a higher risk of suicide](#) than workers in most other industries. ELECTRICAL CONTRACTOR has published numerous articles that discuss mental health concerns and how the construction industry is addressing them. These articles have been assembled into a resource page, which you can access now. [Click here to access the articles.](#)



IMPORTANT ANNOUNCEMENT

Sexual Harassment Prevention Training is required in California every 2 years. This is a reminder that NECA National has virtual courses on their website that meet the California requirement.

Please click here to access training for :

[Managers](#)

[Employees](#)

NECA
NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION

ON-DEMAND CLASSES

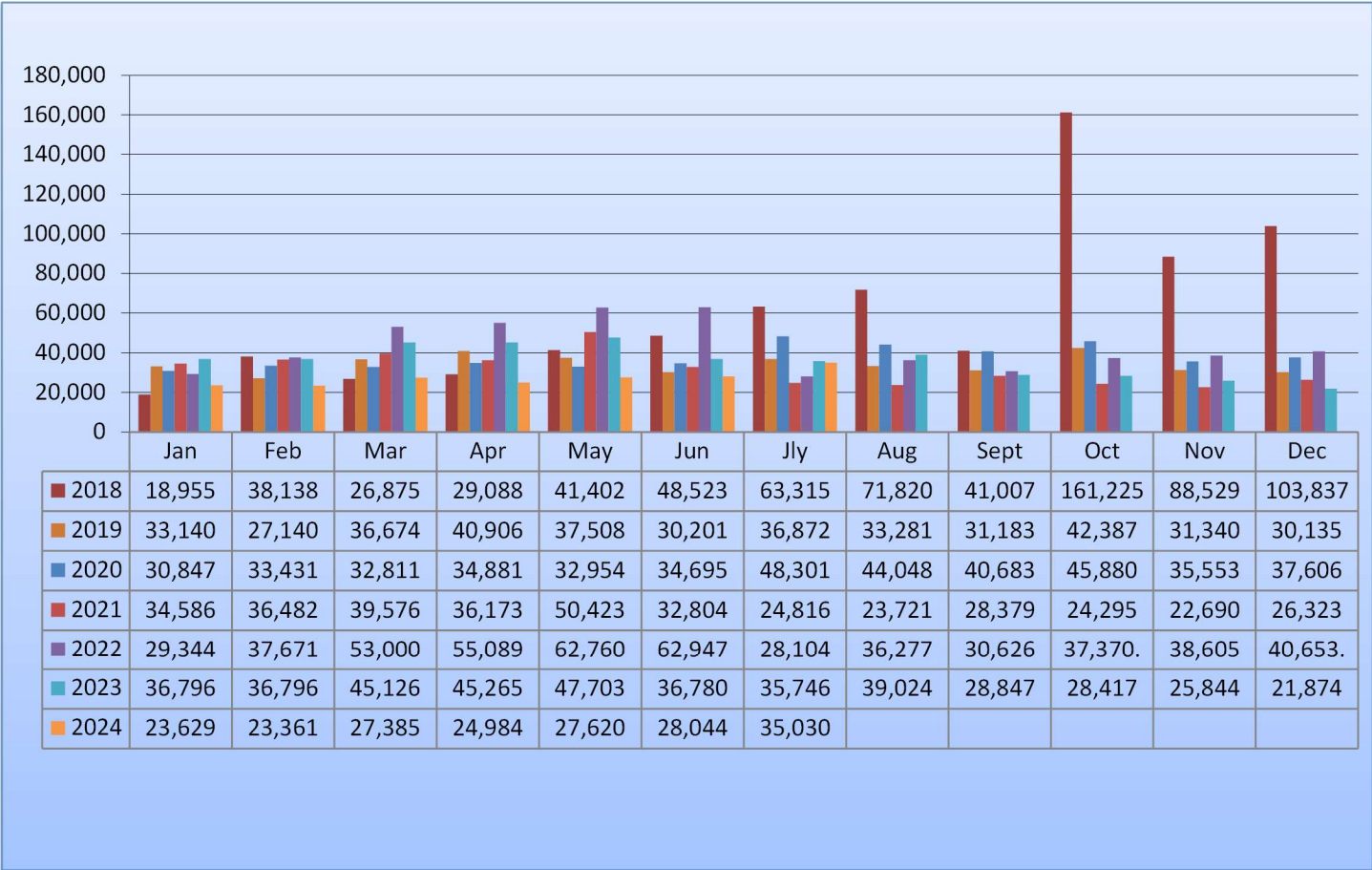
From NECA National

www.necanet.org

[CFO Best Practices Virtual Classroom](#)
[The Project Manager's Role in Conflict Management](#)
[Introduction to Change Orders](#)
[2022 Harassment Prevention for Managers: California](#)
[The Contract and the Project Manager](#)
[Valuing Diversity in the Work Place](#)

[View All On-Demand Classes Here](#)

INSIDE MONTHLY HOURS REPORT





September 10, 2024

JATC Orientation
Training Center
Castroville, CA

September 21, 2024

IBEW Local #234 Picnic
Toro Park, Salinas

September 27-October 1, 2024

NECA Convention
San Diego, CA

November 6-8, 2024

Western Region Managers Meeting
Maui, Hawaii

November 8-10, 2024

PLC Retreat
Marco Island, FL

November 10-13, 2024

IFEBP
San Diego, CA

November 18-20, 2024

etA Regional Seminar
Las Vegas, NV

December 7, 2024

Chapter Christmas Party
Monterey Bay Aquarium
Cannery Row
Monterey, CA
By Invitation