



CALIFORNIA CONFERENCE
OF **MASON** CONTRACTOR
ASSOCIATIONS, INC.

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Fresno
Los Angeles County
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NEWS At-A-Glance

CCMCA To Get a New Name...and a New Look

News Alert! CCMCA will become the Mason Contractors Association of California (aka MCAC).

Chapter delegates approved amendments to the Association bylaws at the 147th CCMCA State Meeting on September 23, 2011 and the board of directors finalized adoption of the new bylaws and new name on November 1, 2011. Steps are underway to enact these changes with a goal to formalize (aka legalize) the new name by January 1, 2012 (contingent upon backlog at the Secretary of State). What do these changes mean? They mean that 1) CCMCA has embraced a name that more accurately reflects its current structure, 2) more members have an opportunity to vote in Association affairs, 3) meeting quorums can be more readily obtained, and 4) unnecessary administrative tasks related to inactive chapters will be streamlined under the state organization. With the name change will also come an image update. Ideas for a new organizational logo have already been submitted, and the search is ongoing for the winning design. Stay tuned. We will keep you posted on the transition and the official date of our new name. Until then, we will continue to operate as CCMCA. *"Change is the law of life. And those who look only to the past or present are certain to miss the future."* – John F. Kennedy. We are very excited about the future of CCMCA...soon to be MCAC.

Governor Signs Key Legislation on Retention, Indemnity, PLA's, and CTE

Retention (SB 293) – Caps retention on public works projects at 5%, provides for speedier payments, and protects payment rights of sub-tier subcontractors. This was a long-fought battle and a MAJOR improvement for the construction industry.
Indemnification (SB 474) – Apportions liability for damages and defense costs to those who actually caused the damages. Another MAJOR victory for construction.
Project Labor Agreements (PLA's) (SB 922) – Nullifies existing PLA bans in jurisdictions with bans in place (currently 8 jurisdictions: City of Fresno, Orange County, City of Chula Vista, City of Oceanside, Placer County, San Diego County, Stanislaus County, and Palmdale Water District). Also eliminates state funding for projects in charter cities that ban PLA's – unless those bans were in place prior to November 1, 2011. If PLA bans were in place prior to November 1, then the state funding cessation goes into effect January 1, 2015 so as not to jeopardize projects already in the pipeline. All other provisions of the bill are expected to go into effect January 1, 2012.

Career Technical Education (AB 1330) – Gives students the option to take a career technical education (CTE) course for purposes of fulfilling high school graduation requirements. A similar bill was vetoed by Governor Schwarzenegger last year. This is a big boost for CTE.

Summary of New Employment Laws That Will Apply to California Employers in 2012 – The list is too extensive to include in this article so it has been posted to the CCMCA website at <http://www.ccmca.org/industry-news/new-employment-laws-that-will-apply-to-california-employers-in-2012>.

Unless otherwise specified, most new laws take effect January 1, 2012. Refer to full bill text for effective date exceptions or take a shortcut by reviewing the enacted bills spreadsheet at <http://www.leginfo.ca.gov/pdf/BillsEnactedReport2011.pdf>.

To view the full text or analyses of any of the bills referenced in this article, please visit <http://leginfo.legislature.ca.gov/>.



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State Fund Announces Dividend

After ten years without a dividend, **State Fund has declared a \$50 million dividend to be issued to qualifying 2011 policyholders**

in the form of a premium credit on renewal policies. To qualify for the dividend, policyholders must 1) have paid their 2011 premiums in a timely manner and kept their policy in good standing, 2) renew their policy with State Fund for 2012 and maintain a good payment history, and 3) finalize their 2011 final audit bill within six months of expiration. The last dividend State Fund declared was in 2001 for more than \$92 million. To view the full announcement, please visit the State Fund website at:

<http://statefundca.com/news/FeatureArticles2011/111811-Dividend.asp>

In related Workers Comp news, State Fund filed for an overall rate decrease of 1% effective January 1, 2012.

CCMCA's group Workers Compensation insurance program is Group 58 with State Fund.

Federal Labor Posting Delayed Until January 31, 2012

In June 2010, an Executive Order began requiring federal contractors and subcontractors to post a notice informing employees of their collective organization and bargaining rights under the National Labor Relations Act (NLRA). The rule was expanded in August 2011 to include most private-sector employers. The private-sector requirement was initially set to become effective November 14, 2011. However, challenges to the rule postponed its **implementation which is currently set for January 31, 2012.**

The notice must be posted in a conspicuous place, where other notifications of workplace rights and employer rules and policies are posted. Employers with remote worksites should post the notice at those locations to ensure that all employees are notified of their rights. Employers should also publish a link to the notice on an internal or external website if other personnel policies or workplace notices are posted there. For additional information and to download the poster, please visit <http://www.nlrb.gov/poster>

CCMCA Committee to Address Scaffold Tie-Off During Erection and Dismantle

During the spring and summer months of 2011, the CCMCA office received more than one phone call from members facing a common challenge: an increased number of projects were demanding tie-off during the erection and dismantling of scaffold. So, the issue was placed before the membership at the 147th State Meeting September 23, 2011. The consensus amongst meeting attendees was that the issue is a prevalent problem, seems most prominent on Owner Controlled Insurance Program (OCIP) projects, and creates unsafe and unfeasible conditions on the jobsite. Consequently, a committee was formed to address the issue. Committee members are:

Chair – Ron Bennett, E&S Masonry Corp. and CCMCA Past President

Co-Chair – Russ Frazier, Frazier Masonry Corp.

Members – Roger Coons of NuWay, Inc. and Don Stewart of Cornerstone Masonry Services, Inc. CCMCA has already reached out to other construction trade groups to determine their level of interest in the issue. We will keep you apprised of the committee's work.



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December Diesel Regulation Training

The Air Resources Board (ARB) is offering free training on regulations affecting heavy-duty diesel vehicles and portable equipment.

Dates for Upcoming Free Trainings:

Costa Mesa:	December 8, 2011	Vehicle Regulation Overview
Course 512		
Modesto/Fresno:	December 8, 2011	Portable Equipment (aka PERP)
Course 302		
Modesto/Fresno:	December 9, 2011	Advanced Portable Equipment
Course 303		

FOR MORE DATES AND TO REGISTER ONLINE:

<http://www.arb.ca.gov/training/courselist.php>

Scroll down to the 300 and 500 Series Courses for a complete list of diesel training. Course #'s 512, 302 and 303 are those listed above.

WEBINAR: Credit Applications & Personal Guarantees for Construction Suppliers

Thursday, December 8, 2011

9:00am – 10:00am

\$109/Non-CMA Members

Presented by Abdulaziz, Grossbart & Rudman and Hosted by The Credit Management Association (CMA)

Participate in this webinar to learn practical and proven tools, tips, and techniques to drafting credit applications & personal guarantees and how to use them in your collection efforts. Designed for sales force, controllers, office managers, presidents, vp's, and owners.

<http://www.anscers.com/upcomingevents.aspx>

To register online or

For more info, contact CMA's Debbie Mendoza: (888) 889-7913 X222

CCMCA 148th State Meeting

Tuesday, January 24, 2012

3:00pm – 6:00pm

Las Vegas Convention Center, Room N210

Attend this meeting to be a part of the CCMCA 2012/13 Board of Directors Installation, hear from an attorney about the new rules Cal/OSHA can use to cite "serious" violations (and how you can be prepared to defend against them), and get a review of new scaffold plank regulations and tips to make sure you know the knock-offs from the real thing.

Thank you to our 1st meeting sponsor!
Townsend & Schmidt Masonry – Silver Sponsor

[Click Here](#)

for Meeting Notice and Sponsor Form