



## MCAC NEW MEMBERS



DL Masonry 2028  
Farnsworth Way Rancho  
Cordova, CA 95670 (916)  
638-1936



**SCHWARTZ MASONRY**  
9359 Alto Drive  
La Mesa, CA 91941  
(619) 68-0887



**STONEY MASONRY, INC**

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ISSUE 6

## MCAC to Commission Mortar Mixing Silica Exposure Survey

Page 1 of the new silica standard defines 'Objective Data' as *"...information, such as **air monitoring data from industry-wide surveys** or calculations based on the composition of a substance, demonstrating employee exposure to respirable crystalline silica associated with a particular product or material or a specific process, task, or activity."*



MCAC is commissioning a survey to conduct air exposure sampling to measure respirable silica content during mortar mixing. The goal of collecting this data is to provide MCAC members with a tool to comply with the [new silica standard](#) without each member having to conduct air sampling for mortar mixing.

Industrial hygiene specialists, [Bureau Veritas North America \(BVNA\)](#) have been selected to perform the testing. Test sites and funding are needed to get the job done.

MCAC has a two-pronged objective in commissioning this project:

1. Present 'objective data' that supports amending California's silica standard to allow an exception for mortar mixing as currently provided in the federal silica standard preamble (OSHA 29 CFR 1926.1153)



and a subsequent [OSHA Fact Sheet DSG FS-3681 03/2016](#).

2. In the event an exception is not granted in [California's silica standard](#), MCAC desires to provide its members with 'objective data' as a means of meeting the "Performance or Objective Data" method of compliance allowed under the California standard. Page 1 of the standard defines 'Objective Data' as "...information, such as air monitoring data from industry-wide surveys or calculations based on the composition of a substance, demonstrating employee exposure to respirable crystalline silica associated with a particular product or material or a specific process, task, or activity. The data must reflect workplace conditions closely resembling or with a higher exposure potential than the processes, types of material, control methods, work practices, and environmental conditions in the employer's current operations."

Read [more](#). See MCAC's "[4 Must-Know Facts for Silica Compliance](#)."

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## Public Works Contractors Must Renew DIR Registration by June 30, 2017

Currently registered public works contractors must renew their Department of Industrial Relations

State of California

Department of Industrial Relations

(DIR) registration by June 30 for the next fiscal year which begins July 1, 2017 and runs through June 30, 2018. Renew online using DIR's [online public works contractor registration system](#). Renewal is complete upon processing of payment.

The renewal fee is \$300 and may be paid by credit card for the fastest processing (24 hours). Registered contractors who fail to renew by July 1, but continue working on public works after that date will be subject to late fees and potential penalties.

DIR notice [here](#).

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## Kyle Will be Missed

**Our hearts are saddened** by the loss of Kyle Cleavenger who passed away over the Memorial Day weekend. Kyle owned and ran Cleavenger Masonry along side his brother Mark and wife Andrea out of Alpine, CA. He was dedicated to the mason industry and a proud member of MCAC and MCA San Diego & Imperial Counties since 2010. Kyle will be remembered for his humor, cheerful spirit, ever-lasting friendship and devotion to his family. He is survived by his wife and MCA San Diego President Andrea, daughter Brittnee, son Shayne, and his brother Mark.





## Members Are Asking MCAC!

**Contractor Question - How do I comply with Skilled Workforce requirements for field staff with years and years of experience but no graduation card from an approved apprenticeship program?**

### **What the attorney says:**

Regarding the Skilled and Trained Workforce requirements, graduation from a state approved apprenticeship program or a federally approved apprenticeship program located outside the state of California is required to meet the graduation percentage requirements. The Division of Apprenticeship Standards maintains graduation records from state approved programs so, even if the program itself no longer has a record of graduation, DAS very likely will and should be contacted a.s.a.p. because it may take some time for them to locate the graduation certificate (those issued from 1998 can be searched electronically on the DAS website).

The apprenticeship regulations do allow programs to graduate apprentices who have prior experience in the trade on an expedited basis, but typically they have to be in the program for at least 6 months before they can graduate. Many programs are taking advantage of this process in order to help contractors meet the skilled and trained workforce requirements.

Each awarding body is responsible for enforcement of the skilled and trained workforce requirements and they are really struggling trying to figure out how to do that; DAS and DIR have no enforcement responsibility or authority.

### **What we have learned with a little digging:**

- Local unions may be offering programs to their signatory contractors to help meet the requirements of Skilled Workforce projects. It doesn't hurt to ask.
- The [Masonry Industry Training Association \(MITA\)](#) is offering assistance to its members upon request.
- The [Associated General Contractors \(AGC\)](#) has developed forms for [public agencies](#) and [contractors](#) to use to help provide consistency in implementation and enforcement and aid contractor compliance.
- Some MCAC members have been asked to sign an affidavit affirming that their workforce meets the appropriate percentage of workers required to be graduates of a state-approved program in lieu of a journeyman card documenting program completion. The effectiveness of this compliance method remains to be seen.

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## High Lift Grouting Options

by John Chrysler of Masonry Institute of America (MIA) and Kurt Siggard of Concrete Masonry Association of California and Nevada (CMACN)

Recently, there have been questions about what the code means when it comes to high lift grouting, particularly with the 12 ft. 8 inch provision. The [attached Contractors Alert](#) should help to clarify the meaning of the code.

Be aware that in California nearly all of the high lift grouting, that is placement in lifts of 5 ft. 4 inches maximum (unless more restrictive by DSA or OSHPD), will remain the same.

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# Cal/OSHA Reminds Employers to Protect Workers as the Heat Rises

Cal/OSHA is reminding all employers to protect their outdoor workers from heat illness, especially those not accustomed to working in high heat conditions. Employers need to ensure workers are drinking plenty of water and taking breaks in the shade as temperatures rise across many regions of California. [The National Weather Service](#) is forecasting unusually high temperatures throughout the state, which will remain high for the rest of this week and into next week.

California's [Heat Illness Prevention Standard](#) requires employers to train workers on the signs and symptoms of heat illness, provide shade when temperatures exceed 80 degrees, develop emergency response procedures and train workers on how to execute those procedures when necessary.

Cal/OSHA notice and links to resources [here](#).

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Sincerely,

**Julie Trost**

**Mason Contractors Association of CA**

7844 Madison Avenue, Suite 140

Fair Oaks, CA 95628

p. 916.966.7666

[julie@mca-ca.org](mailto:julie@mca-ca.org)