



## Issues on the MCAC Radar for 2024

Each year a new crop of issues piques our interest. This year we have added the issues below to our watch list. While this is not a complete list of all measures we are following, they represent a sampling of our high priority targets.

Note: These are *proposed* measures that have not yet been passed unless noted otherwise.

### KEY ISSUES AT THE TOP OF OUR LIST:

- **Public Works: Wage Complaints Timeline Extension from 18 to 24 Months (AB 2135)**
- **Surety Liability for Attorney's Fees (AB 2677)**
- **Outdoor Heat Illness Certification (AB 2264)**
- **Workplace Violence Prevention Plan (AB 553) – Effective 7/1/24 - MCAC template available to members. Passed 2023.**
- **Indoor Heat Illness – Cal/OSHA Regulation**
- **PAGA Repeal Ballot Measure – Slated for Nov 2024 (stay tuned for more details in future reports)**

**! = Caution**

**☆ = Has potential**

**☆ AB 1927 – Golden State Teacher Grant Program for CTE Instructors** - Expands eligibility for the Golden State Teacher Grant Program to prospective instructors who commit to a 5-year clear designated subjects career technical education teaching credential who also commit to work for 4 years at a priority school.

The Golden State Teacher Grant (GSTG) Program was established under the Student Aid Commission to encourage teachers to teach at priority schools and preschool programs across California.

**! AB 2135 – Wage Theft Statue of Limitations: Public Works-** Helps ensure workers are paid the wages they are rightly owed for public works projects by:

- Extending the period of time that the Labor Commission is able to review complaints of wage theft from 18 to 24 months with possible extension of an *additional 18 months*
- Preventing investigations by the Labor Commission from being cut short.

**AB 2179 – Local Apprenticeship Programs** - Would provide information on local apprenticeship and preapprenticeship programs to parents and guardians of students admitted or advancing to grades 11 and 12. The bill would also require a school district to include this information on its internet website

**! AB 2264 – Heat Illness Prevention Certification for Outdoor Workers** - Establishes a heat illness prevention certification requirement for all outdoor workers effective July 1, 2028, subject to the following requirements:

- Employers are to include the heat illness prevention certification process as part of its on-the-job training for employees
- Certifications shall be valid for three years from the date of issuance
- Certification includes an exam that consists of at least 40 questions
- Minimum score of 70 percent on the exam is required to pass

☆ **AB 2677 – Sureties: Liability: Attorney’s Fees** – Would remove liability for attorney’s fees from bond sureties. The purpose of this bill is to ensure affordable contractor bonds remain available while maintaining consumer protections. The impact to contractors without AB 2677 passage includes:

- Access to bonds will be more difficult because:
  - sureties may restrict the number of bonds they issue
  - underwriting standards will likely tighten
  - sureties may leave the California market
- Bond prices will increase as sureties look to offset exposure to unlimited attorney’s fees payouts.
- Since all contractors, at minimum, are required to possess a \$25,000 license bond, this could result in many contractors not being able to afford or qualify.

**! AB 3106 – AMENDED** – no longer applicable. ~~**Infectious Disease: Excluded Employees**~~— Would require Cal/OSHA to adopt a permanent standard to ensure COVID-19 cases are excluded from the workplace until return-to-work requirements are met and requires employers to protect the wages, benefits, seniority, job status and all other rights of employees excluded from the workplace due to a positive COVID-19 test as if they had not been excluded. The permanent standard is to be adopted by February 3, 2025.

**! AB 3186 – AMENDED** - **Public Works: Prevailing Wages: Access to Records** – Would require *an owner or developer* each contractor and subcontractor performing undertaking work on any public works project to make specified records available upon request to the Division of Labor Standards Enforcement, to multiemployer Taft-Hartley trust funds, and to joint labor-management committees, as specified. The bill would also apply this requirement to *an owner or developer that undertakes* contractors, subcontractors, and covered entities that are developing, undertaking, or performing work a development project *that includes work subject to the requirements of public works* for which contractors are required to maintain and verify payroll records, as specified. Penalties for noncompliance apply.

### **Workplace Violence Prevention Plan**

Nearly all employers will be required to maintain a written Workplace Violence Prevention Plan (WVPP) starting July 1, 2024 as a result of Senate Bill 553 (SB 553) signed into law last year.

MCAC members access your free template package by entering the member password at <https://www.mca-ca.org/members-only/>. The California Workplace Violence Prevention Plan Template Package includes:

1. Model California Workplace Violence Prevention Plan
2. Model Notice for Employees
3. Model Hazard Assessment Form
4. Model Violent Incident Log
5. Model Training Deck
6. Overview of Key Provisions of the New Law (California Labor Code Section 6401.9)

[Cal/OSHA Workplace Violence and Prevention Guidance and Resources](#)  
[FAQ's](#)

### **REMINDER**

#### **California Air Resources Board Portable Equipment Registration Program (PERP)**

**Attention PERP Applicants!** Beginning July 1, 2024, applications for initial registrations of diesel engines rated over 750 bhp into PERP, engines must meet one of the following engine eligibility requirements:

- Final Tier 4, or
- Interim Tier 4 flex engine, or
- Tier 2 flex engine.

<https://ww2.arb.ca.gov/resources/documents/perp-application-record-keeping-reporting-forms>

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**MCAC is the "411" center for mason contractors on legislation, regulations, safety issues, and building codes.**

**[www.mca-ca.org](http://www.mca-ca.org)  
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