

2018 Print Market Atlas

Want to gain insight into what the print market looks like in your area? For the fifth year, our national association's (Printing Industries of America's) Center for Print Economics and Management has compiled a detailed report on our industry using data from the U.S. Census Bureau and the County Business Patterns database.

The 2018 Print Market Atlas reports on data from fiscal years 2015 and 2016. It offers information on how many establishments, shipments and employees are in each area, in order to give decision makers the tools they need to make choices on where to lead their company.

The report segments the industry into two major categories:

1. Commercial Print and Related Support Activities (NAICS 323)
2. Print-Related Media or Publishers (NAICS 511)

You may wonder why "publishing" was included in the Print Market Atlas as part of the "printing industry." This was because the government's definition of "Commercial Print and Related Support Activities" states: "When publishing and printing are done in the same establishment, the establishment is classified in Sector 51, Information, in the appropriate NAICS industry—even if the receipts for printing exceed those for publishing." If the publishing sector was ignored, industry shipments would be skewed significantly downward.

Luckily, the Census Bureau breaks down publishing shipments by media type (print, online and other). The Atlas was therefore able to include only publishing revenue that is generated by print, and leave out publishing revenue from online and other sources.

Members can download the report for free from the Printing Industries of America online store. The report is \$200 for non-members. Visit <http://bit.ly/2018printatlas>

The Opportunities for Print Providers

Want to see your business grow? Don't rely on this business growth to come from an improving economy or from finding the next great salesperson. Instead, print providers need to be the catalysts for growth. Utilize marketing to differentiate your firm and give your sales staff a competitive advantage. For example...

- **Client Retention:** Overcapacity continues to define the industry. Engage your customers frequently. Customers seek reassurance of appreciation. Utilize a multichannel approach. Engage your clients a minimum of every 90 days. Ideally, every 30 days.
- **Lead Generation:** New sources for generating prospects are needed. LinkedIn is the second biggest source of incoming traffic to our website. Traffic = requests. Support your sales staff with content for LinkedIn and watch your sales grow.
- **Content Marketing:** Marketing is more about creating conversations than campaigns. But if your content isn't relevant and engaging, you risk just being part of the marketing noise. Dynamic, engaging content goes a long way to helping foster trust and credibility.
- **Social Media:** Social media is now expected. If you are not fully utilizing it, you are at a disadvantage, and your brand's perception will suffer. Be perceived as being progressive and tech-savvy.
- **Thought Leadership:** Keep promoting your company as a thought leader. Your brand's perception plays a significant role in determining who gets the job.

Source: Great Reach Communications, www.greatreachinc.com

ADA Accommodations: Who Gets to Choose?

Under the Americans with Disabilities Act (ADA), you are required to provide a reasonable accommodation to a qualified employee who has a disability. However, sometimes there are multiple options that could be considered “reasonable accommodations.” In these situations, does the employee get to dictate the accommodation, or do you get to make that decision?

Approach the issue in good faith

Before making a decision, keep in mind that the ADA includes a “good faith” provision. In the recent *Sessoms v. Trustees of the University of Pennsylvania* case, the U.S. Court of Appeals for the Third Circuit stated that “an employer may demonstrate good faith in various ways, including meeting with the employee, requesting information about the employee’s condition and limitations, asking what the employee wants, showing signs of having considered the employee’s request, and offering and discussing available alternatives when the request is too burdensome.”

Ultimately, it’s your choice

Assuming you are acting in good faith, the ruling in the *Sessoms* case established that the ultimate decision is yours. You are not required to provide the specific reasonable accommodation requested, and you are allowed to consider alternative reasonable accommodations—provided the one chosen is effective.

In this context, an “effective” accommodation is one which “would remove a workplace barrier, thereby providing the individual with an equal opportunity to apply for a position, perform the essential functions of a position, or gain equal access to a benefit or privilege of employment.” When there are two or more effective accommodations, you can choose the one that is less expensive or simply easier to provide.

In addition, if an employee requests a transfer as an accommodation, the burden is on that employee to show that appropriate positions within the company are actually available.

Portions of California's New Workplace Immigration Law Now on Hold

California's Immigrant Worker Protection Act, AB 450, went into effect on January 1, 2018. This law prohibits private sector California employers from voluntarily allowing Immigration and Customs Enforcement (ICE) agents to access non-public areas of their worksite and/or to access, review or obtain their organization's employment records unless ICE provides a judicial warrant. It also requires employers to provide workers with notice of certain immigration enforcement actions.

The Trump administration sued over these policies, and on July 4 a federal judge issued a preliminary injunction blocking enforcement of the provisions of AB 450 that deal with employer "consent."

As a result, as of now, private sector employers may choose to:

- Consent to a federal immigration enforcement agent's request to enter nonpublic areas in the workplace;
- Grant federal immigration enforcement agents' access to employee records; and/or
- Re-verify an employee's eligibility to work in the U.S.

However, all of AB 450's notification requirements are still in effect. This includes a requirement that you provide your workers with notice of certain immigration enforcement actions, such as inspections of I-9 forms and other employment records by an immigration agency, within 72 hours of receiving the federal Notice of Inspection.

Of course, this decision is likely to be appealed, so things may change again in the future.

California Proposition 65 New Warning Requirements

Starting August 30, 2018, businesses that sell consumer goods to Californians will be subject to new warning requirements.

Through its one-of-a-kind labeling law, California regulates thousands of businesses, whether through e-commerce or retail outlets in the state. The changes to the warning requirements under Proposition 65 (Prop 65) have triggered a lot of questions and requests for compliance guarantees and statements by print customers.

Prop 65 was enacted in 1987 and the compliance requirements have not changed. The duty to warn employees and the general public about exposure to over 800 chemicals that are carcinogenic or pose reproductive hazards above the “no significant risk level” or safe harbor level has been the cornerstone of the regulations.

To read more about Prop 65 warning requirements and compliance, please visit <http://bit.ly/prob65blog> for detailed information.

If you have any questions about Prop 65, please contact Gary Jones, Assistant Vice President, Environmental, Health, and Safety at 412-259-1794 or email gjones@printing.org