

STATE HAPPENINGS BY RJ

Monthly Update from Our Lobbyist in Sacramento

Never a Dull Moment in California

From the more than 2,000 bills that were introduced in the state legislature prior to the February 19th bill introduction deadline to the statewide effort to recall Governor Newsom, there’s a lot going on here in California.

We’re keeping our eye on the proposed legislation

As the details of the proposed bills come out, we have already seen that a number of them are of special interest for our industry. These include:

- Approximately 12 bills addressing single use packaging. Groups such as Californians Against Waste are pursuing numerous bills designed to eliminate all single use packaging—not just plastics—in California. Many of these bills go beyond recyclability to require that materials be compostable and biodegradable. Some of these



concepts include fees that would be levied on packaging producers, which may include both packaging manufacturers and packaging printers. Needless to say, we will be actively engaged in the conversations on this portfolio of bills.

- AB 95, which would create a

mandatory paid bereavement leave benefit when an employee’s family member or close loved one passes away. While the details of the bill are still to be determined, the battle will be over how expansive the definition of “family member” or “close loved one”

will be. Although the employer community will fight to keep this to just the employee’s immediate family, there are elements of the labor community that want an expansive definition that includes aunts, uncles, cousins, etc.

- SB 95, which would reauthorize the state’s COVID-19-related supplemental paid sick leave program. For non-food-sector employees, this program originally ran from September 19 to December 31, 2020, and affected employers that have 500 or more employees nationwide. SB 95 would reinstate and continue this program until January 1, 2022.

The recall effort is underway

I have been fielding a lot of questions regarding the effort to recall Governor

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GOVERNMENT & LEGISLATIVE

BUSINESS MANAGEMENT

On Our Radar

Updates to proposed legislation, regulations and other issues we’ve been following:

- The DFEH portal for submitting SB 973 pay data is now available. The portal is at <http://bit.ly/DFEH-new-login>. Data is due March 31.
- The EEOC’s proposed revisions to wellness program rules have been withdrawn. These proposed rules addressed incentives that employers can offer as part of corporate wellness programs.
- The Dynamex ABC Test is now retroactive. The California Supreme Court has now ruled that its landmark Dynamex decision regarding classification of independent contractors under the state’s wage orders, a decision which ultimately led to the passage of AB 5, applies retroactively.

What this means is that the “ABC Test” applies to wage order-related misclassification claims (such as for overtime) that were pending in April 2018, and not-yet-filed claims involving conduct that took place prior to April 2018.

It should be noted that because Dynamex only applies to California’s wage orders, its impact is much more limited in scope than AB 5, which went into effect January 1, 2020. AB 5 only applies prospectively.

Business Credit Differs from Personal Credit



Many small business owners don’t realize that business credit scores are distinctly separate from personal credit scores. Your business credit score has no impact on your personal credit score, and vice versa.

Business credit reflects your company’s image to potential lenders and business partners. Yet, unlike personal credit — which can be viewed only with the permission of the report holder — business credit scores are made available to the public. Anyone can view your business credit score for any reason.

Furthermore, business credit scores are expressed with a different numerical range than personal credit scores. Business credit scores provide a quick view of a company’s risk potential based on a scale of 1 to 100 — the higher the score, the lower the risk.

Score Range	Risk Class	Risk Description
76-100	1	Low
51-75	2	Low-Medium
26-50	3	Medium
11-25	4	Medium-High
1-10	5	High

Score ranges provided by Experian

With the PIASC discount, members can get a credit score report from Experian for just \$17 (regularly \$39.95). To get started, visit <http://bit.ly/PIASC-members1>. Login credentials required.

★ MESSAGE FROM PIASC PRESIDENT ★

HUMAN RESOURCES

PIASC Just Got Bigger

Exciting news: On March 1, the members of Western States Printing Alliance (WSPA) joined PIASC. We were the largest regional graphics industry trade association in the U.S. prior to this, and we are even bigger and stronger now. What does this mean for you?

Your PIASC member experience does not change.

All of the benefits you enjoy through your membership continue. For example:

- The staff members that you know and trust will still be here.
- Your dues will remain the same.
- Everything from expert assistance to HR support and no-cost employment services will still be just a phone call away.
- Our local in-person events will still take place (post-pandemic, of course).
- We will still be represented by a lobbyist in Sacramento.
- You will still receive helpful California-specific regulatory updates.

This change simply expands the “PIASC family.”

Members in Arizona, Colorado, New Mexico and Wyoming will have a local contact person. Cathy Skoglund, who was WSPA’s Executive Director, is now PIASC’s Director of Western States Member Services.

There is strength in numbers...and the PIASC Board believes that this change will be beneficial for all involved.

Louis J. Caron, CPA (Inactive)



Is a Requested ADA Accommodation an Undue Hardship?

Under the Americans with Disabilities Act (ADA), employers must provide reasonable accommodations so that employees with disabilities can enjoy the “benefits and privileges of employment” equal to those enjoyed by similarly-situated employees without disabilities. Unless, that is, the accommodation would cause “undue hardship.”

So how do you determine if a requested accommodation is an undue hardship?

The basic definition of an undue hardship is an action that creates a significant difficulty or expense. There are no hard and fast rules governing what “significant” means, but the bar is intentionally set high in order to encourage employers to help those with disabilities fully engage in the workforce.

The factors below are important to consider when making your determination:

- The nature and net cost of the accommodation, taking into consideration the availability of tax credits and deductions, as well as outside funding;
- The overall financial resources of the facility or facilities involved in the provision of the accommodation, the number of individuals employed at the facility and the effect of the accommodation on expenses and resources;



- The overall financial resources of the covered entity, the overall size of the business of the covered entity with respect to the number of its employees, and the number, type and location of its facilities;
- The type of operation or operations of the covered entity, including the composition, structure and functions of the workforce, and the geographic separateness and administrative or fiscal relationship of the facility or facilities in question to the covered entity; and
- The impact of the accommodation upon the operation of the facility, including the impact on the ability of other employees to perform their duties and the impact on the facility’s ability to conduct business.

Need help analyzing a specific situation? Contact Susan Levi from HR | BIZZ, PIASC’s in-house HR team, at piasc@hrbizz.com or 323.728.9500.

STATE HAPPENINGS BY RJ

Continued from front

Newsom. Here’s what you need to know...

- The proponents had until March 17 to submit 1.5 million valid signatures.
- Once submitted, these signatures are reviewed by election officials and the Attorney General’s office.
- If 1.5 million signatures are certified as being valid, the Lieutenant Governor will call for a recall election. This election would take place 60-80 days after the collected signatures are deemed to be valid. The exact date of the election is unknown at this time.
- In a recall, voters will see two questions on the ballot. The first is, “Do you wish to recall Governor Newsom?” If 50% + 1 voter vote “yes,” then the second question, regarding which candidate voters would choose to replace Newsom,

becomes paramount.

There are two important things to understand regarding those who wish to run for office to replace Governor Newsom. First, the barrier to entry for candidates to appear on the ballot is very low. Second, once the recall election is called for, there are no campaign finance limits restricting how much money the candidates can raise.

Conclusion

In any event, whether it’s the legislative session or the recall election, it’s sure to be a busy time for California’s printing industry.

GOVT & LEGISLATIVE

Continued from front

- Consider using portable high-efficiency particulate air (HEPA) fan/filtration systems to increase clean air, especially in higher-risk areas.
- Make sure exhaust fans in restrooms are fully functional, operating at maximum capacity and set to remain on.

If you would like to go beyond OSHA’s recommendations, the following measures are also worth discussing with your HVAC contractor:

- Increase maintenance to ensure filters are clean and surfaces are disinfected.
- Disable demand-based ventilation systems to further increase ventilation into the building.
- Take action to avoid recirculating air.
- Install HEPA filtration on your centralized HVAC system (perhaps in addition to portable room-based units in higher-risk areas).
- Install ultraviolet germicidal irradiation (UVGI) inside your HVAC system.
- Install bipolar ionization technology

Welcome New Members!

PIASC’s Board of Directors and staff welcome the following members, who joined between December 2020 and February 2021:

CSO Marketing Inc

Publishing & Sales Consulting
(602) 888-2996

Sparta Enterprises, LLC

Distributor
(323) 997-9629

The Halftone Shop

Printing & Direct Mail
(714) 619-3785

TK Graphics

Broker/Consultant
(323) 868-1545

M&M Printed Bag Company, Inc. dba Columbia Packaging Group

Flexible Packaging Manufacturer
(909) 393-5537
www.columbiapkg.com

Know a company that could benefit from our services and benefits the same way you do? Refer a friend and get money back towards your dues! Contact Kristy Villanueva at kristy@piasc.org or 323.728.9500, Ext. 215

The Repro House

Commercial Printing
(949) 656-5713
www.thereprohouse.com

CONTACT US

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Key Contacts

Lou Caron, President
Ext. 274, lou@piasc.org
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Kristy Villanueva, Member Services
Ext. 215, kristy@piasc.org
Rodney Bolton, Human Resources
Ext 218, piasc@hrbizz.com
Susan Levi, Human Resources
Ext 218, piasc@hrbizz.com

Upcoming Events



WEBINAR: OSHA's 2020 Top 10 Print Industry Citations & How to Avoid Them

Date: Tuesday, March 9, 2021

Time: 10:00 am PST

Cost: Free for PIASC members

After more than a year of trying to keep our employees from contracting COVID-19 and focusing on carefully following all the OSHA, CDC, state and local requirements, many of us are a little tired and frustrated. With the stress of dealing with the pandemic, we may have slipped in our normal plant safety emphasis. However, we must not overlook some of the basic OSHA safety training requirements that will both keep our plants safe and help us to avoid OSHA’s top 10 print industry citations. This webinar addresses how to comply with the OSHA requirements that others appear to be struggling with—as evidenced by the fact that these resulted in OSHA’s top 10 2020 citations.

You’ll get an in-depth look at the following Top 5 citation categories:

- Machine guarding
- Control of hazardous energy lockout/tagout
- Powered industrial trucks
- Personal protective equipment (PPE)
- Hazard communication
- In addition, we will also cover:
- Fall protection
- Electrical, including temporary wiring (extension cords)
- Hazardous waste and emergency response
- OSHA Form 300 retention and updating
- Hand and powered tools, including compressed air for cleaning

Register at <http://bit.ly/OSHAwebinar-20>.



WEBINAR: 2021 HR Update

Date: Thursday, March 11, 2021

Time: 10:00 am PST

Cost: Free for PIASC members

One year ago, no one could have imagined the changes that would take place in our workplaces—or the compliance challenges that these changes would create. In addition to the “usual” raft of changes to HR regulations, the seemingly ever-changing laws and regulations associated with the COVID-19 pandemic have wreaked havoc on business’ ability to keep up.

Unfortunately, ignorance of the law is not considered a valid excuse for non-compliance. As labor laws change, it is crucial for employers to stay up to date!

Join us for this complimentary webinar as Susan Levi from HR|BIZZ provides the latest information about:

- Minimum wage increases
- COVID-19 in the workplace
- Pay data reporting
- Extended Family and Medical Leave
- Time off
- And more

Register at <http://bit.ly/2021-HR>.

PIASC Events Calendar

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WEBINAR: OSHA's 2020 Top 10 Print Industry Citations & How to Avoid Them
Tuesday, March 9 at 10:00 am PT
Online
www.piasc.org/events

MAR
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WEBINAR: How to Gain Client’s Trust in Managing Their Data (Presented by PIM)
Wednesday, March 24 at 9:30 am PT
Online
www.piasc.org/events

MAR
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WEBINAR: 2021 HR Update
Thursday, March 11 at 10:00 am PT
Online
www.piasc.org/events

For full list of workshops and virtual classes, please visit www.piasc.org/events