



“CONSTRUCTING A WAY FOR A BETTER FUTURE”

ECA NEWSLETTER

JOHNS SOAPBOX



Remember-this is an op-ed piece and I do not speak for the ECA or any of its members in this “Soapbox”. These are just my rambblings that hopefully you find thought provoking. Remember-these are my opinions, not those of the ECA or any of its member firms.



Any New Laws Coming Out That Might Affect Your Business?

I have often said that in California we would be better off electing our legislators and paying them to do nothing. Go to ribbon cutting ceremonies, but do not promote any new legislation UNLESS you delete two new regulations for every new one you propose.

How has that worked out?

I am not going to give you an exhaustive list of EVERY new law going into effect January 1, 2024, but this is a “quick overview” to remind your staff there are some new rules that should not be ignored. Please enjoy the new rules and confer with your Human Resources Officer or consultant to ensure you are in compliance.

Here are some of the “highlights/lowlights” depending on your perspective:

***Sick Leave-** California’s new paid sick leave law, Senate bill (SB) 616, significantly expands California’s existing paid sick leave law (i.e., the Healthy Workplaces, Healthy Families Act of 2014).

Paid sick leave entitlement.

Under SB 616, an employee is now entitled to five days or forty hours of paid sick leave. Previously, employees were entitled to three days or twenty-four hours.

Increased annual usage cap.

Employers may limit an employee’s annual use of paid sick leave to forty hours. Previously, an employee’s annual use could be capped at twenty-four hours.

Increased accrual cap

Employers may cap an employee’s paid sick leave accrual at eighty hours or ten days; previously, the accrual cap was forty-eight hours or six days.

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****Non-Compete Law Change:**

Noncompete Agreements and Notice Requirements (SB 699, AB 1076)

SB 699 prohibits employers from entering into or attempting to enforce noncompete agreements with employees. The new law establishes that noncompete agreements are void in California regardless of where the employee worked when the employee entered into the agreement and/or where the employee signed the agreement.

Additionally, newly signed AB 1076 requires employers to notify current employees and former employees (employed after January 1, 2022) in writing by February 14, 2024, that any noncompete agreements they may have signed are void.

*****Cannabis Use and Drug Testing**

Off-Duty Cannabis Use and Drug Test Results (AB 2188, SB 700)

California has two new laws going into effect related to cannabis use and drug test results. The first is AB 2188, which Governor Newsom signed in 2022 and will be effective January 1, 2024. AB 2188 makes it unlawful for an employer to discriminate against individuals in hiring, termination, or any term or condition of employment, or to otherwise penalize an individual for cannabis use or drug test results under certain circumstances. Specifically, the law prohibits employers from taking these actions for either: (1) off-duty cannabis use away from the workplace; or (2) the results of an employer-required drug screening test that has found individuals to have nonpsychoactive cannabis metabolites in their hair, blood, urine, or other bodily fluids.

AB 2188 does not allow employees to possess or use marijuana on the job, nor does it interfere with an employer's right to maintain a drug-free and alcohol-free workplace. An employer may still refuse to hire an applicant based on scientifically valid pre-employment drug screening conducted through methods that do not screen for nonpsychoactive cannabis metabolites. There are also certain exceptions to AB 2188 such as for employees in the building and construction trades.

Piggybacking off AB 2188, SB 700 expands California's Fair Employment and Housing Act to protect applicants from discrimination based on prior cannabis use, with some exceptions. Specifically, SB 700 prohibits employers from requesting information from an applicant for employment relating to the applicant's prior use of cannabis. Additionally, when an employer gathers criminal history information regarding an applicant's prior cannabis use, SB 700 makes it unlawful for employers to use such information. There are exceptions for situations in which the employer is permitted to consider or inquire about that information under state or federal law.

Not much of an editorial folks, I apologize. But these rules are coming up soon. Next week I will post some other new rules that may significantly affect your business.

That's All Folks

John

EVENT NEWS & INFORMATION

The Calendar of Events is included here for 2024. I have heard that we need to do a better job at announcing when the committee meetings are held, so here is the entire list of committee meetings scheduled for 2024 (notwithstanding Community Relations Committee and Government Affairs Committee meetings which are held at non-regular times and dates during the year).

THE CALENDAR OF EVENTS FOR 2024:

- ◆ **Installation & Awards Dinner**—Saturday, February 24th at Hyatt Regency
- ◆ **ECA Public Officials Night**— Thursday, April 10, Sonoma Marin Fairgrounds
- ◆ **Father’s Day “Show & Shine” Car Show**—Sunday, June 16th, Juilliard Park
- ◆ **ECA’s Golf Tournament**—Friday, July 19th, Windsor Golf Club
- ◆ **Wine & Dozers Dinner and Auction**—September 28th, Graton Resort & Casino

ECA COMMITTEE MEETINGS

ECA Exec Meetings, Every 4th Tuesday from 11:00 am-12:00 pm, at the NCBE small conference Room at 1030 Apollo Way, Santa Rosa

ECA Board of Director Meetings, Every 4th Tuesday from 12:00 pm-1:30 pm, at the NCBE main Board room at 1030 Apollo Way

ECA Specification Committee Meetings-Every other 4th Wednesday (beginning in January 2024) from 4:00 pm to 5:30 pm at the main NCBE Board Room, 1030 Apollo Way

ECA Nominating Committee Meetings, Every 4th Tuesday from 1:30 to 2:30 beginning in July 2024 and ending in September 2024

ECA Show and Shine Car Show Committee Meetings, Every 4th Tuesday (beginning in January 2024 through May 2024) from 4:00 pm to 5:00 pm at the NCBE small conference room at 1030 Apollo Way

ECA Government Affairs Committee Meetings, As needed, next meeting November 30, 2023, via Zoom from 4:00 pm to 5:30 pm

ECA Golf Tournament Committee Meetings, Every 4th Wednesday from 3:00 to 4:00 pm at the NCBE conference room beginning in January 2024 and every month through June 2024

ECA Days of Wine and Dozers Annual Auction Committee Meetings, Every 4th Monday (beginning in March 2024 through September 2024) from noon to 1:00 pm, at the small conference room at 1030 Apollo Way

Community Relations Committee Meetings-As Needed



COMMITTEE NEWS

ECA Government Affairs Committee- led by Art Deicke, meets when there are issues or candidates to consider. The next meeting will be held via Zoom on November 30, 2023, from 4:00 – 5:30 pm and our topics are:

Discussing what role, if any, we want to take in State and Federal elections in 2024. Since this is a federal election of considerable importance, the ECA may choose to recommend to the Board that we take a more active role in State and Federal elections this year. Also, our State elections will be very influential on our industry in 2024. Jim Woods has an Assembly seat up for grabs, and two local candidates are going to run for his seat with a 3rd candidate from Humboldt County almost certain to extend the election until November.

ECA GAC will also be meeting with Chris Coulombe, a 16-year military veteran who is running against Jared Huffman for United States Congress in the 2nd Congressional District. Huffman has been in office since 2013 and his district covers the area from the Golden Gate Bridge to the Oregon Border. If you want to know a little more about Chris, you can go to his webpage [Chris to Congress | Chris Coulombe to U.S. Congress](#).

Discussing the ECA policy regarding candidates who sign “pledges of support” to certain special interest groups, will be an important debate on 11/30. The GAC will discuss this policy and whether we wish to continue this practice or not.

ECA Executive Committee Meeting-next meeting is on Tuesday January 23, 2024, at 11:00 am. The Exec Committee meets every 4th Tuesday of the month in 2024 at 11:00-12:00 in the small NCBE conference room.

ECA Board of Director Meeting-next meeting will be held January 23, 2024, from 12-2:00pm. The Board of Directors meets every 4th Tuesday of the month from 12-1:30 pm in the NCBE main board room.

ECA Community Relations Committee-Chaired by Lacey Torkelson Smith, meets when there is a specific project to consider. The CR Committee will next meet and present two projects at our February Board meeting (Feb 27, 2024, from 12:00 to 1:30pm). Potential projects include the Children’s Museum and the Boys and Girls Club of Healdsburg.

ECA Specification Committee-chaired by Casey Wood of GBI and Dale Smith of RCX, will next meet on January 24 from 4-5:30 pm and every other month on the 4th Wednesday of the month from then on.

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Installation & Awards Dinner

Saturday, February 24th

**Hyatt Regency
170 Railroad Square
Santa Rosa, CA 95401**

Welcome incoming President:
Mike Gulley, Northwest General Engineering &
The 2024 ECA Board of Directors

We will be also honoring
Volunteers of the Year
Mary, Meghan & Robin Turner
Contractor of the Year
Tom Swegle, RCX, Inc.
Affiliate of the Year
James Trappe, Canyon Rock Co.
The Hermsmeyer Hall of Fame Award
will be awarded to Dick Ghilotti, Ghilotti Construction
Posthumous – John Ramatici, Don Ramatici Insurance

To Sponsor Click [HERE!](#)

Save the Dates for 2024!!!

Public Officials Night— Thursday, April 10, Sonoma Marin Fairgrounds
Father's Day "Show & Shine" Car Show—Sunday, June 16th, Juilliard Park
ECA's Golf Tournament—Friday, July 19th, Windsor Golf Club
Wine & Dozers Dinner and Auction—September 28, 2024, Graton Resort & Casino

WORKER'S COMPENSATION

Worker's Compensation Endorsement By ECA-

HELLO!!! HAVE YOU ASKED YOUR HUMAN RESOURCES PERSON TO CHECK OUT THE WORKERS COMP PROGRAM ECA HAS ENDORSED? Everybody likes to save money, don't they? Doesn't cost you a thing to consider this as an option! Jeff Okrepkie at 707-360-4338.



George Petersen Insurance Agency

FIRE CLEAN UP LIST:

The Sonoma County Environmental Health Department, Transportation and Public Works, and James Gore's office are utilizing the ECA as a resource for debris testing, and debris cleanup for fire victims from the Kincade Fire. Please review the list that has been provided to the fire victims and the County, of ECA Firms that are interested and listed in various categories as being helpful in the fire aftermath. This is another benefit for ECA members and if you want to be included on the list, and are not, please contact mary@nceda.org. There is no charge for this. You can access the list by clicking [HERE](#)

EMERGENCY RESPONSE MANUAL

The updated 2023-2024 Emergency Response Manual is now available online!

In the event of an emergency, we have put together this manual to help our community receive quick service from our members.

Thank you to our sponsors for helping to get this manual completed. It is sent to city and county agencies in case of an emergency so they will know who to call for services, equipment and materials.

Click [HERE](#) for the manual.

Get Prepared Now! Here are some very useful tips from CalFire to get your own house/property "in shape" for fire season. [link](#)

Pocket Guide for CALOSHA For Contractors: Click [here](#) for the pocket guide you all need!

Roadwork in Sonoma County - Check out the County website for road info [here](#)



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From the Desk of Jim Persons

Safest way to Operate a Front-End Loader

Here are some of the safest and most conscious ways to operate a front-end loader:

Using your seatbelt is mandatory when operating your car, and using the front-end loader is no different. You must always wear your seatbelt when operating this type of machinery.

Have someone available when you are using the front-end loader that can watch the surroundings for you. It is so easy to back into things or strike things due to blind spots. Having a spotter can really save you from causing damage to things around you.

Click [HERE](#) to read more.



Expert COVID-19 Safety info Available at a Discount

The Shelter in Place Orders issued by County Health Officers in Sonoma, Napa, and Mendocino - as well as the Governor, have highlighted for the building industry the need for all contractors to have an up-to-date written COVID-19 Exposure Control Plan.

This should be an addendum to your IIPP and safety meetings for COVID-19

Jim Persons, SafetyPride, an ECA member who serves as a consultant and safety instructor for ECA, is offering his services to our members and they will receive a 40% discount on his regular rates if you are a current member of ECA.

Contact Jim if you are interested in getting his help on COVID-19 related issues or other health and safety programs. email: jimpersons@safetypride.com or phone: 707-889-0881



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SAFETY TRAINING

CPR / First Aid

Thursday, January 4, 2024
9—11 am

Training includes bleeding control, strokes, seizures, broken bones and other life-threatening emergencies. Adult/child/infant CPR & airway obstruction management covered. This course is designed as both a course for first-timers and as a refresher.

click [HERE](#) for flyer

Traffic Control / Flagger Training

Thursday, January 4, 2024
1– 3 pm

This certified course will instruct on the fundamentals of keeping workers safe on California Highways and roads, how to erect traffic control zones, handling emergency situations, and more!

Click [HERE](#) for flyer!

On Demand Training service provides relevant and targeted training, certification, or education when you **NEED IT NOW!**

Classes can be organized quickly so you can quickly get your employees back to work. In addition, business demands require flexibility. This service provides greater flexibility and added value. Classes can be set up at your facility or at the training room in Santa Rosa

Part of this **on-demand service** is a viable alternative to **in-house training** because it is designed for situations where only **one, two, three or four** people that need training. Importantly, this training can be very cost effective. We can combine the classes with other companies that need the training or you can have your own company class.

Whether you're in search of workplace safety training to meet OSHA compliance requirements, Competent Person, Trench Safety, Confined Space, CPR/First Aid initial or update training or implementing a Safety Program ECA can help!

The best way to beat an OSHA citation is to never get one at all.

Email mary@nceca.org to set up a class today If you don't see a class you need listed please contact me.

CPR / First Aid: 3 hrs - \$95 per person

Confined Space: 3 hrs - \$150 per person

Competent Person / Trench Safety: 3 hrs - \$125 per person

Flagger Safety Training: 2 hrs - \$125 per person

Sexual Harassment—1 hr for Employees—\$25 per person ~ 2 hrs for Supervisors \$35 per person



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NEWS YOU CAN USE

I am going to repeat two items from last week's Newsletter due to their importance.

1. Water "Rights and Water Wrongs"-last week the GMM attendees heard all about removing Lake Pillsbury and two dams that have delivered water to Sonoma and Marin County for years. Here is the Eureka Times article that came out on Saturday on the same topic: [PG&E releases potential plan for removal of Eel River dams \(msn.com\)](#)
2. Here are some "shoutouts" and photos for excellence in construction projects-hope your firm was involved in some or all of these: [Here are the North Bay's Excellence in Construction Awards winners for 2023 \(northbaybusinessjournal.com\)](#)
[Photos: 2023 North Bay Excellence in Construction Awards event \(northbaybusinessjournal.com\)](#)

Now for some "New News You Can Use":

From James Jensen for the City of Santa Rosa, some small projects coming out in November and December of 2023:

3. From James Jensen: *We have a series of small and medium jobs that we expect to invite bids over the next three months. Here is what I am seeing:*
 - *Hearn Avenue existing building demolition, \$500k estimate.*
 - *Luther Burbank Home and Garden Center Reroof, \$200k estimate.*
 - *Low Impact Development features at the Municipal Service Center North, \$600k estimate.*
 - *Roseland Pavement Maintenance, \$550k estimate.*
 - *Kawana Springs Community Park Gardens, \$1.1m estimate.*
 - *Transit Mall Roadbed Rehab, \$1.3m estimate.*
 - *Laguna Treatment Plant filter valve replacement, \$1.6m estimate.**Rock Creek Sewer and Water Replacement, \$4.7m estimate.*

So, no signature jobs on the short-term horizon, but some things to do before the next big job hits the scene.

4. Novato Housing Project clears key hurdles for entitlement- [Novato housing development plan clears key hurdles \(northbaybusinessjournal.com\)](#)
5. Early look at proposed resort in Napa Valley's St. Helena- [More details on 52-room resort planned for St. Helena released \(northbaybusinessjournal.com\)](#)





November 29th, 2023, 8AM – 12PM

LOW IMPACT DEVELOPMENT TRAINING

This free, virtual webinar will feature presentations and a live panel discussion that covers the requirements for designing, installing, and maintaining low impact development. Join us by RSVPing to our Eventbrite via the link or QR code provided.



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Maintenance and upkeep

Click [here](#) to access the Eventbrite

Or visit

<https://www.eventbrite.com/e/annual-low-impact-development-training-form-follows-function-tickets-745611262357?aff=oddttrcreator>



Northern California Engineering Contractors Association

The ECA, and its Board of Directors, has been the voice of the engineering construction industry for over 40 years.

The foundation of the ECA has been to address local needs and issues.

The purpose and goal of ECA and its staff are to provide services to the members that help them run their businesses safely, efficiently, and in compliance with the many rules and regulations and mandates of government.

The working committees are the heart and soul of the ECA. The committees are comprised of ECA members.

The committees promote events that enable the ECA to fund community projects that include: Fathers Day "Show & Shine" Car Show, Public Officials Night, the Golf Tournament, and, the "Days of Wine & Dozers" Auction Dinner.

If you would like to join a committee, please email mary@nceca.org ~ We would love to have you!



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