



August 19, 2024

“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 ramblings that hopefully you find thought provoking.

Social Media Posts Could Create a Hostile Workplace!



What if one of your employees is “trashing” your company on Facebook or Instagram or X? What if an employee is “trashing” one of their co-workers on a social media site? What if one of your estimators or contract administrators is on social media during work hours? What if an employee is sharing some confidential information about a project or a sub or a supplier that “paints” that person or firm in a bad way?

I doubt many of our firms are so progressive that they have all the bases covered since social media is so prevalent and is changing so much in today’s world. Most of your guidelines will probably be found in your employee handbook, and maybe your insurance carriers are hosting webinars on this type of problem, but I thought this is such a big concern that it is “teed up” for an ECA Seminar with Smith Dollar in the fall. After reading this, let me know what you think-could your HR person use some guidance on social media rules, or do you think you have it covered? Let me know please!

You want a “human resources” nightmare? Just try and figure out how an employer can manage conduct by their workers that occurs off-site and/or after hours.

The main challenge with these issues is how an employer can manage conduct that frequently occurs off-site and outside of work hours. Should employers attempt to regulate such behavior? Can they control what employees say without breaching legal boundaries? What if a post qualifies as protected concerted activity under the National Labor Relations Act, or is considered protected activity or political speech? These are complex questions with no straightforward answers.

Can an employee claim a “hostile work environment” because of something a co-worker posted about him or her? Tough questions. And sometimes tough questions need to be looked at legally so that you (and your employees) are protected.

Continue on page 2



Inside this issue

John’s Soapbox.....	1
Board of Directors.....	2
Committee News.....	3
Wine & Dozers.....	4
From the Desk of Jim Persons.....	6
News you can Use.....	8
Workers Comp.....	9
Emergency Response manual.....	9
Sustaining Members.....	10
Low Impact Development Training.....	12



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Continued from page 1

Some suggestions that might lend themselves to a seminar with Diane Aquí of Smith Dollar in a month or two:

1. **TRAIN YOUR LEADERS** - Someone in a leadership or management role should not be posting derogatory or hateful comments about any employee – period, full stop.
2. **ACT ON COMPLAINTS** - It does not take an HR expert to know that when an employee makes a formal complaint, the employer must take immediate and corrective action in response to harassment allegations that the employer knew or should have known. Alternatively, employers should be prepared to investigate the entire range of inside and outside workplace conduct, including allegedly hostile social media posts, and promptly assure employees that their complaints are being taken seriously, not that they need to toughen up.
3. **UPDATE YOUR POLICIES** - Employers should also consider adding or updating their social media policies to include language regarding abusive or harassing behavior **both inside and outside the workplace.**
4. **BE CAREFUL OF YOUR ONLINE PRESENCE** - Any employee but certainly any manager should be careful as to how they personally interact with employees on social media. Employers do not need to refrain from having social media connections with employees outside of work. But, the way employers communicate, like, comment or share on social media may be relevant to whether it took prompt and thorough action to remediate claims of harassment.

I am personally not on social media for many of the reasons brought up in this soapbox edition. But I could see how it could be very difficult asking your HR person to write your employee handbook in such a way that is workable yet protects you.

I say let's put a seminar together, so we protect ourselves from some of these problems. Let's do one when the rains hit?

Let me know!

That's All Folks
John



COMMITTEE NEWS

1. **Government Affairs Committee**- Chair Art Deicke and the Government Affairs will be meeting on 8-28-24 and 8-29-24 to interview candidates for the 9 cities in Sonoma County running for Council or Mayor. We have scheduled some 38 candidates over a very long two days for doing questionnaire review and question and answers for Cotati, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, Windsor, Healdsburg, and Cloverdale.
2. **Community Relations Committee**-no report
3. **Father's Day Show and Shine Car Show Committee**-no report
4. **Days of Wine and Dozers Auction Committee**-September 28, 2024, is the date, and Graton Event Center is the Place! Please do not wait until the last minute to set your tables as we need you to put some effort and thought into who you are inviting.
5. **ECA Specifications Committee**-chaired by Dale Smith and Casey Wood are following up on new water runoff rules, erosion protection rules, and waterway contamination. We have made contact with, and have set up a meeting with, the North Coast Regional Water Board and several other cities to discuss all of the SWPP issues that face our (public and private) project sites over the next few months. It will rain someday!! If you want to poke your head in the meeting, this is a good one to attend. **August 28, 4-5:30pm** at the NCBE Board Room.
Thanks Dale and Casey!
6. **ECA Golf Tournament is ready to schedule for 2025!** No report.



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ECA 32nd Annual Wine & Dozers

Auction & Dinner

Saturday, September 28th

Graton Resort & Casino



Enjoy an elegant and fun evening of generosity, delicious food, and signature drinks while coming together in support of ECA.

Saturday, September 28th

Graton Resort & Casino

288 Golf Course Drive

Rohnert Park, CA

5:30 pm Reception & Silent Auction

7 pm Dinner

8 pm Live Auction

9 pm Port & Cigar Bar

To reserve a room at the nearby Oxford Suites guests can book online using the booking link: <http://bookings.ihotelier.com/bookings.jsp?groupID=4445279&hotelID=106575> OR by using the group code: NCECA when calling to make a reservation. 707-584-0333.

To register for the event click [HERE!](#)

Help us support the ECA by considering being a sponsor of the ECA's, "Days of Wine & Dozers" Auction Fundraiser
We are also looking for live auction items!

For Sponsor opportunities Click [HERE!](#)

Thank you to our Sponsors:

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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—\$45 per person ~ 2 hrs for Supervisors \$60 per person

Active Violence Emergency Response Training— \$100 per person



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From the Desk of Jim Persons

Warming Up - “Construction is an Athletic Event”

The importance of being warmed up prior to starting construction work (or any work involving heavy lifting) is just like getting ready for a sporting event.

Stretching is a means to avoid the most common body sprain/strain injuries.

To read more click [HERE!](#)



Workplace Violence Program

Implementation “Target Date” – July 1, 2024

Senate Bill 553 requires employers to create, implement and maintain a Workplace Violence Program by July 1, 2024. Employers must also train their entire workforce.

The Workplace Violence Program must include a reporting mechanism (how is the employee going to report incidents), detailing who will be responsible for receiving complaints, and who will be responsible for identifying and mitigating workplace hazards.

Jim Persons has developed a Workplace Violence Program and Active Shooter Guidelines that meet the requirements of this new regulation. He can also provide training resources for your employees.

Contact Jim if you are interested in getting his help on a Workplace Violence Program, COVID-19 related issues or other health and safety programs.

email: jimpersons@safetypride.com or phone: 707-889-0881 or sign up for an upcoming class!

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We want to highlight a member each week in our MEMBER SPOTLIGHT. What we need from you is a short paragraph on what is happening at your company. New employees, new logo, a new move, exciting news, an update on your company or new equipment! What ever you want to share about your company with our members.

Email mary@nceca.org with your spotlight information and send in photos if you have them!



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NEWS YOU CAN USE

1. [Water infrastructure projects authorized by Senate](#)

The Senate has approved a new Water Resources Development Act, which will provide roughly \$6.7 billion for 13 new or modified projects for the Army Corps of Engineers along with 83 feasibility studies. The House and Senate versions of the legislation differ in that the latter includes language that would rework the cost-share ratio between general federal revenue and the Inland Waterways Trust Fund for inland waterway construction and major rehabilitation projects. **Full Story:** [Engineering News-Record \(tiered subscription model\)](#)

2. I can't help myself file-[Govt wants to clarify PLA wage rules-DOL aims to clarify PLA wage rules](#)

On Aug. 29, the Department of Labor will hold a webinar aimed at helping contractors comply with the Davis-Bacon Act and Service Contract Act's prevailing wage requirements for federally funded projects. Amid the uncertainty of an election year, it's possible that contractors are avoiding bidding on major federally funded projects until the longer-term regulatory landscape becomes clearer. **Full Story:** [Construction Briefing](#)

3. [Cool Video Learning For Your Cat Operators!-New program lets operators train on virtual Cat equipment](#)

Simformotion has introduced Cat Simulators Collaborative Worksite Training, which lets as many as nine users simultaneously operate virtual excavators, dozers and trucks. The program aims to enhance teamwork and efficiency on jobsites by letting operators practice without the risk of injury or equipment damage. The system records performance and compares it against Caterpillar benchmarks. **Full Story:** [Equipment World](#)

4. [Updates to Public Works Online System-](#)

Message to Public Works Contractors and Awarding Bodies

Recent updates to the public works website services include:

(1) Manual eCPR- crafts and classifications updates:

- electrician, glazier, painter, sheet metal worker, carpenter, plasterer, roofer, tile finisher, and more are now added.

(2) eCPR Employee Notes section updates:

The Employee Notes section, which was previously limited to 49 characters, now allows up to 500 characters.

This field should be used to itemize additional deductions or contributions that are not available in other eCPR fields, and to address manual calculations needed to adjust the total gross wages (for example, for garnishments or 401k contributions).

The eCPR proof of submission report

can be exported and printed from the dashboard to verify the date of submission for the general contractors or awarding body.

In June, DIR launched modernized Public Works website services, including a new unified platform to replace the PWC-100, PWCR, and eCPR applications.

There were technical issues encountered with the initial launch regarding associating accounts that impeded some registration or renewal attempts in the new system. We apologize for the inconvenience and appreciate the timely information provided by system users regarding the system errors, which helped us identify and resolve them. We appreciate your continued patience as we make improvements to the new system.

Many users are now learning the new system and can find the answers to their questions in the [online support center](#) which has recorded trainings, user guides, FAQs and other resources.

Please refer to the [online support center](#) before contacting the Public Works Unit.

If you need further assistance after consulting the support center, email Publicworks@dir.ca.gov

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.
[Flyer](#)



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](#)

Labor Law Posters 2024

Click [HERE!](#)





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Come connect, collaborate, learn, and communicate with us in Healdsburg this December!

The Co-Permittees of the Russian River Watershed are excited to announce that registration for our free Annual Low Impact Development training is now open.

Title: 2024 Annual Low-Impact Development Training for the Russian River Watershed

Date: Thursday, December 5, 2024

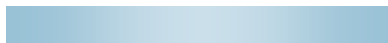
Time: 8:00a.m. – 12:00p.m. PST

Register Here: <https://stormwaterlidtraining2024.bpt.me/>

Intended for Private Design & Development Community and Public Agency Staff responsible for the design, compliance, or review of LID measures. This year's training will include case studies, discussions, and presentations including private industry civil engineers, municipal staff, and representatives from the North Coast Regional Water Quality Control Board. Topics will include:

- Stormwater Calculator: A Design Engineer's Perspective
- Final SWLID Submittals
- FAQs
- Design/Installation Challenges
- Future of LID Manual and Calculator Updates

All participants are encouraged to attend in person; however, a virtual on-line option will be available (read instructions carefully). Space is limited and an RSVP is required.



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!