



Member Associations of

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Headline Summary

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Support Postal Reform

Printing Industries of America is part of a national coalition—Coalition for a 21st Century Postal Service—to reform and strengthen the United States Postal Service so it can meet the demands of the future.

The coalition supports legislation in two areas: benefits and pensions (S. 1010—Tom Caper-R, Delaware), and consolidation of operations and lower labor costs (HR 2309—Darrell Issa-R, California).

For more information or to take action, visit the coalition's website at www.savethemailsavejobs.org.

WatchDog

Guarding the Business of Print

October 2011

NLRB Poster Available

The National Labor Relations Board (NLRB) requires that most private sector employers notify employees of their rights under the National Labor Relations Act (NLRA) by posting an 11" x 17" notice beginning November 14, 2011.

This poster is now available for download at piasc.org on the Human Resources page. Go to the Employee Relations Posters dropdown menu, and you'll find the poster as the last item. Print the poster on 11"x 17" paper.

In justifying the new requirement, the NLRB states that "many employees protected by the NLRA are unaware of their rights under the statute" and that the requirement to post the notice "will increase knowledge of the NLRB among employees, in order to better enable the exercise of rights under the statute."

Requirements for printing the poster in languages other than English if more than 20 percent of employees speak that other language also are detailed.

SCAQMD Rule 1147

Rule 1147 targets emission reductions of 50 to 75 percent from ovens, dryers and furnaces by meeting lower NOx emission limits of 30 to 60 ppm (at 3% oxygen) for burners. The Rule applies, at different times, to facilities which emit over and under 1 pound a day of NOx. Emissions for those over 1 pound is 3.5 ton a day, and for those under 1 pound is .3 ton a day.

Compliance dates for emission limits are based on the date of equipment manufacture and emission limits are applicable to older equipment first. Owners of equipment are provided at least 15 years before they must modify or replace existing equipment to meet the new emission limits.

Rule 1147 also established test methods and provides alternate compliance options including a process for certification of equipment for NOx emissions through an approved testing program. Other requirements include equipment maintenance, fuel and time meters, and recordkeeping.

On September 9, a coalition of industries, including PIC, were able to amend the proposed in several significant ways:

1. Nearly all impacted facilities will not have to write a check for low NOx burners, as required by the rule, until 2017—not beginning in 2012 as initially proposed.
2. The SCAQMD has agreed to conduct a Technology Assessment of the availability of low NOx burners for different equipment.
3. Besides the Technology Assessment, a Cost Effectiveness and Affordability study will also be included.

This is a clear victory for industry and, hopefully, may eventually lead to exempting those facility with under 1 pound a day NOx emissions.

APP Lets Employees Track Wages

The Department of Labor has released a new wage-hour iPhone app to track hours worked and calculate wages. Called DOL-Timesheet, the app includes overtime pay, and may eventually include bonuses and holiday pay.

In the event of an investigation, these real-time wage and hour records may be used against you.

The Fair Labor Standards Act requires you to keep accurate wage and hour records, but does not mandate a specific format. Along with personal data and occupation, you will need to record:

- Time and day of week when an employee's workweek begins
- Hours per day and per work
- Basis on which wages are paid
- Pay rate
- Total daily or weekly wages
- Total weekly overtime wages
- Paycheck deductions and additions
- Wages per each pay period
- Date of payment
- Dates of pay period covered

Detailed wage and hour records are your best defense against the wage-hour app and any wage-hour complaints.

VOC Recordkeeping CD

We have produced a video on VOC recordkeeping. The video focus on the South Coast Air Quality Management District, but it is applicable to other districts as well. The video shows how to calculate VOC emissions from ink, coating, fountain solution and cleanup solvents. The cost to our members is \$21.50, which includes tax and shipping.

For those printers who don't have a recordkeeping program in place, or whose program needs revamping, we have created a program in Excel, with formulas, which we'll program with your materials, that will calculate your daily and monthly emissions. The cost to members is \$28.50.

Contact Gerry Bonetto at (323) 728-9500.

San Diego County APCD

On November 9, 2011, the San Diego County Air Pollution Control District (District) will vote to adopt proposed amendments to Rule 67.16 (Graphic Arts Operations) and Rule 11 (Exemption from Rule 10 Permit Requirements, Section (d)(11)).

PIC will testify in support of the revision to the first draft of the rule:

- Exemptions for most digital operations and cleaning of UV lamps,
- Retain vapor pressure as a determinant of cleanup solvent (VOC content of less than 100 g/l or less than 5mm vapor pressure in cleanup solvents),
- VOC content of fountain solution of less than 5% by volume (non-refrigerated) and 8% (refrigerated); the first draft prohibited any use of VOC's in fountain solution.
- Flexible recordkeeping.

For a copy of the rules, contact Gerry Bonetto at gerry@piasc.org.

Sale to American Indians

Sales tax generally applies to sales by retailers to Indian purchasers. However, if the following conditions are met, the sale may qualify as exempt from sales tax:

- The retailer transfers ownership of the merchandise to an Indian purchaser in Indian country,
- The retailer delivers the merchandise in Indian country, and
- The Indian purchaser lives in Indian country.

The contract of sale cannot transfer ownership of the merchandise to the Indian purchaser before the merchandise is delivered in Indian country and the Indian purchaser cannot take possession of the merchandise before delivery to the reservation. Typically, the merchandise will be delivered by facilities of the retailer.

If the merchandise is delivered by a common carrier, however, the contract of sale must include a title clause indicating the title to the property transfers to the Indian purchaser in Indian country coupled with a F.O.B. destination statement (for example F.O.B. name of Indian reservation). If any of the above requirements are not met, the sale is subject to sales tax.

NLRB Looks At Social Media Policies

The National Labor Relations Board (NLRB) has issued a report detailing the outcome of its investigation into 14 cases involving the use of social media (e.g., Facebook and Twitter) and employers' social media policies.

The Acting General Counsel's report (<https://www.nlr.gov/news/acting-general-counsel-releases-report-social-media-cases>) is insightful and it covers a wide range of issues, including when employee social media use is protected by the National Labor Relations Act (NLRA), the permissible scope of employer social media policies, and how unions can get in trouble when using social media

Employers should review their social media policies and how they intend to address social networking.