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Headline Summary

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Workers' Comp Study

State workers' compensation premiums data, compiled by the Oregon Department of Consumer and Business Services once every two years, shows that the 2014 median value of workers' compensation premiums paid was \$1.85 per \$100 of payroll—a 1.6 percent drop from the \$1.88 in 2012.

National premium rates range from a low of 88 cents in North Dakota to a high of \$3.48 in California. Following California's \$3.48 per \$100 in payroll was Connecticut (\$2.87), New Jersey (\$2.82), New York (\$2.75), and Alaska (\$2.68).

North Dakota (88 cents) stood at the bottom of the rankings, making it the cheapest state for employers.

WatchDog

Guarding the Business of Print

December 2014

Legislature Begins Work

On December 1st, the legislature opened the new session by introducing bills covering issues ranging from the minimum wage to electronic cigarettes.

The legislature went on record opposing a proposed University of California tuition increase.

Lawmakers also began introducing new bills that they will take up when the session kicks off in January 2015. Legislation already introduced includes:

- SB 3 (Leno, D-San Francisco) incrementally boosts California's minimum wage to \$13 an hour.
- SB 4 (Lara, D-Bell Gardens) extends health care coverage to undocumented immigrants.
- SB 5 (Vidak, R-Fresno) and AB 23 (Patterson, R-Fresno) which exempts oil and gas from California's cap-and-trade law.
- SB 24 and SB 27 (Hill, D-San Mateo) limits the use of antibiotics on livestock and extends youth tobacco laws to electronic cigarettes
- AB 47 by (McCarty, D-Sacramento) expands preschool access to all low-income children.
- AB 11 (Gonzalez, D-San Diego) offers paid sick days to home health care workers who were exempted from legislation last year that gave all other Californians paid sick leave.
- AB 54 (Central Valley lawmakers) allows businesses to remain open while working to correct Americans with Disabilities Act violations.

Patent Update

On November 28, the Patent Trial and Appeal Board (PTAB) ruled in favor of the four petitions filed in May by Eastman Kodak, Agfa, Esko, and Heidelberg challenging the patentability of CTP Innovations' patent claims.

The PTAB found that there is a reasonable likelihood that the petitioners would prevail in PTAB trials on the unpatentability of the claims, with the exception of one claim that describes swapping low res images for high res images in Postscript files prior to making a PDF file.

The trials (one for each petition) have been instituted and could last up to a year. Whether CTP Innovations can muster a strong defense during the trials or will try to modify the claims remains to be seen.

Earlier in the month, Hewlett-Packard, Ricoh America and Xerox prevailed in PTAB trials on unpatentability of claims made by MPHJ Technology Investments, LLC.

This is tremendous news and may spell the end of CTP Innovations' ability to prey on printers with these patents. In the interim, printing companies still in litigation can seek stays in their cases.

Source: *Printing Industries of America*

Order 2015 Posters

All California businesses must display up-to-date labor and safety notices where all employees can see them to be in compliance with federal and state laws. The 2014 all-in-one posters do not meet the federal and state 2015 requirements. Updated posters include those listed below:

08/14 OSHA
07/14 OSHA
06/14 Whistleblower Act
06/14 Industrial Welfare Commission Wage Order *Separate poster
03/14 OSHA
12/13 Whistleblower Act

Some companies may also be required to display additional notices depending on their operation, such as forklift safety, fire extinguisher use, safe lifting, and bloodborne pathogens.

The cost for the 2015 all-in-one poster is \$24.50, which includes postage and sales tax. To order your 2015 posters, contact Rose Dorado at rosed@piasc.org (323-728-9500, ext. 231) or online at piasc.org.

Gas Price Focus

Stressing the hit to small businesses and motorists, Republicans from both houses of the state Legislature lined up another offense against California's cap-and-trade.

Depending on various estimates, the pollution-reduction program is expected to raise gas prices next year somewhere between 5 cents to 76 cents per gallon, depending on which side of the issue one inquires.

SB 5 (Vidak, R-Fresno) and AB 23 (Patterson, R-Fresno), backed by the Republican caucus, would remove the increase by eliminating a provision in the law that includes gas and diesel fuels in the program.

The legislation mirrors a bill from this year's session that didn't even earn a policy hearing under the Democratic-controlled Senate. This new legislation likely will go nowhere, since the Democratic controlled legislature and Governor Brown support cap-and-trade.

New Website

PIASC launched a new website at www.pic-gov.org that was created and will be maintained by our government affairs office—Printing Industries of California.

The website—"Management Tools: Graphic Arts Industry Resource Center" brings together tools and information to help members comply with regulatory, technical and legal issues. The materials are grouped into five categories for easy access:

- Business/Technical
- Environmental
- Human Resources
- Safety
- Sales Tax

Each category is further divided by subject matter (e.g., under Human Resources there are twelve sub-categories, such as pre-employment, employment, sample employee handbook, required postings and brochures, and terminations).

The 'Get Involved' section is where members can respond to a "call to action" from your associations, enabling them to email their representatives a form letter prepared by PIC staff on proposed legislation that could impact the graphic arts industry in either a positive or negative way.

Clean Up Green Up

On June 19, 2013, the Los Angeles City Council approved the Clean Up Green Up Trust Fund Ordinance.

The goal of the Clean Up Green Up pilot is to address the cumulative health impacts of industrial land uses adjacent to homes, schools, parks and other sensitive users in Boyle Heights, Pacoima, and Wilmington, that have determined to be most impacted from industrial pollution sources.

Clean Up Green Up proposes land use-related performance standards for new or expanding projects coupled with City-led efforts to assist and incentivize existing businesses in their effort to comply with current environmental regulations.

Since its passage, business representatives, including PIC, have coalesced to forge a common response to proposed measures in the program.

Public Pension System

In a recent press release, State Controller John Chiang announced the creation of an open data website with more than one million fields of financial data for California's 130 defined benefits and defined contributions public pension plans. The site, ByTheNumbers.sco.ca.gov, allows taxpayers to track revenues, expenditures, liabilities, assets, and fund balances of the state's 58 counties and more than 450 cities.

The site's financial information currently covers an 11-year period -- from fiscal year 2002-03 through 2012-13 -- with data provided by California's 130 public pension systems. For example, a trend chart shows assets of the defined benefit systems were \$447.69 billion in 2003, and now sits at \$722.13 billion in 2013.

