



Member Associations of

PRINTING INDUSTRIES OF CALIFORNIA

Printing Industries
Association of **Southern California**
Phone: (323) 728-9500 Web: www.piasc.org

Printing Industries
Association of **San Diego**
Phone: (858) 800-6900 Web: www.piasd.org

(formerly Printing Industries
of Northern California) **Visual Media Alliance**
Phone: (415) 495-8242 Web: www.visualmediaalliance.org

Headline Summary

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Packaging Recycling

CalRecycle recently released a background paper entitled: "Increasing Collection and Recovery of Packaging in California."

This paper presents potential policy approaches to increase the collection of packaging (all packaging) in California's disposal stream. This document is intended to assist in meeting the goals of AB 341 that established a 75 percent recycling goal by 2020. The paper also presents a proposed definition and scope to help frame the discussion on policy approaches.

We encourage member doing packaging to at least skim this 29 page document at www.calrecycle.ca.gov/Actions/Documents.

WatchDog

Guarding the Business of Print

November 2014

Pre-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. We also have those available.

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

AB 2053 and Abusive Conduct

With the passage of AB 2053, employers subject to California's mandatory AB 1825 sexual harassment training for supervisors will now have to include an abusive conduct component.

AB 1825 requires employers with at least 50 employees anywhere to provide two hours of classroom or other effective interactive training regarding sexual harassment prevention to supervisory employees every two years (the first training deadline was December 31, 2005). And new supervisors must be trained within six months of being promoted or hired into a supervisory position and, thereafter, every two years.

AB 2053 amends AB 1825; the amendment, which becomes effective January 1, 2015, will now include prevention of abusive conduct.

"Abusive conduct" means:

Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance.

Employers have to track compliance with AB 1825 by keeping training records indicating the date and type of training provided and the supervisor-trainee's name, as well as the name of the instructor. These records must be maintained for at least two years.

San Diego Minimum Wage

The proposed increase in San Diego's minimum wage from \$9 to \$9.75 in 2015 an hour and to \$11.50 in 2017 is now on hold.

Opponents of the ordinance succeeded in getting enough signatures during a petition drive to force the minimum wage proposal to be put to a public vote, according to the *Los Angeles Times*.

The *Times* article noted that the City Council had two choices: repeal the minimum wage increase or put the proposed increase on the ballot for a public vote. The president of the City Council told the *Times* that the council, which supported the ordinance, voted to put it on the June 2016 ballot.

The minimum wage ordinance also contained a provision mandating five paid sick days—two days more than the three paid sick days that state mandates.

Initiative Scorecard

Below is a list of November statewide ballot propositions, with PIC position and the outcome on each one.

Proposition 1: Water Quality, Supply, and Infrastructure Improvement Act of 2014.

PIC-Support; Outcome - Passed.

Proposition 2: State Budget: Budget Stabilization Account. Legislative Constitutional Amendment.

PIC-Support; Outcome - Passed.

Proposition 45: Healthcare Insurance. Rate Changes. Initiative Statute.

PIC-Oppose; Outcome - Failed Passage.

Proposition 46: Drug and Alcohol Testing of Doctors. Medical Negligence Lawsuits. Initiative Statute.

PIC-Oppose; Outcome - Failed Passage.

Proposition 47: Criminal Sentences. Misdemeanor Penalties.

PIC-No Position; Outcome - Passed.

Proposition 48: Indian Gaming Compacts. Referendum.

PIC-No Position; Outcome - Failed Passage.

Exemption for Manufacturing Equipment

A new law allows certain manufacturers to obtain a partial exemption of sales and use tax on certain manufacturing equipment purchases made on or after July 1, 2014. To be eligible under this law, you must meet all three of these conditions:

- Be engaged in certain types of business, also known as a "qualified person"
- Purchase "qualified property"
- Primarily use that qualified property in qualifying manufacturing

The partial exemption reduces the tax rate to 3.3125 percent (from 7.50 percent) plus applicable district taxes. This exemption applies to the state general fund portion of the sales and use tax rate, but does not apply to any local, city, county, or district taxes.

The purchaser must obtain a timely exemption certificate from the seller. You will claim the deduction for sales subject to the manufacturing exemption on your sales and use tax return.

You can find a copy of the exemption certification at www.pic.gov.org.

Paid Family Leave

Under current law, employees may seek wage replacement benefits under the family temporary disability program (also referred to as paid family leave or PFL) for taking time off to care for certain seriously ill family members.

Effective July 1, 2015, SB 770 expands PFL benefits for employees to include benefits for time taken off to care for a seriously ill grandparent, grandchild, sibling or parent-in-law. PFL does not create the right to a leave of absence, but provides California workers with some financial compensation/wage replacement during a qualifying absence.

Because of SB 770, the Employment Development Department revised the Paid Family Leave pamphlet to add the new "family member" definitions. These pamphlets must be given to new hires and to employees who take a leave of absence for a covered reason.

Common Lawsuits of Employers

Recently, the California Chamber of Commerce published a white paper on the common mistakes that lead to employee lawsuits. Readers will probably recognize most of these rules; however, the list is a good reminder to help you avoid these common pitfalls.

- Exempt and non-exempt employee classification
- Meal Breaks
- Independent contractor status
- Harassment and discrimination
- Hours of work
- Termination
- Leaves of absence
- Final paycheck
- Deduction from wages
- Vacation policy

For more information on items in this list, please call Doug Moore at (323) 728-9500, Ext. 218.