

URCA Viewpoint

WEBSITE: WWW.URCA.ORG

NEWS AND VIEWS FOR THE UNION ROOFER

VOLUME 20, ISSUE 2, Winter 2020-21

Compliance Corner: Southern California Labor Management Trust

There is an enormous amount of fraud occurring in the State of California. This fraud is so prevalent that it creates an “underground economy.” This underground economy has depleted workers and the State of billions of dollars. Let us all pitch in to clear the “dark cloud” of fraud that is hovering over the fine State of California.

If you are a CONTRACTOR with information about a potential fraud occurrence(s), please assist this cause and report your observations and/or findings to the SCLMT. See the SCLMT contact information at the end of this article.

The Southern California Labor Management Trust is comprised of representatives from the United Union of Roofers and Waterproofers & Allied Workers Locals 36 & 220, and the Union Roofing Contractors Association.

The SCLMT is committed to help eliminate any contractors from utilizing illegal and unfair financial advantages over their competitors. Areas of action include, but not limited to, cash pay, under reporting of payroll, and fraudulent misclassification of workers to lower Workers' Compensation costs.

The SCLMT is working to ensure that all contractors abide by the labor code when performing work on Public as well as private projects. The SCLMT is committed to

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California COVID Update

2020 will be most remembered as the year most would like to forget. Despite the challenges, limitations, and shutdowns, URCA continued providing valuable member services through our Labor Management/ Compliance and ADR and Workers Comp Trusts. URCA continued to collaborate with high level stakeholders, industry partners, and built coalitions to continue to advocate, defend, and monitor impacts to our industry.

Following a major spike in coronavirus cases and with further attempts at attempting to control COVID 19 infections, California has reverted to

very restrictive status. That means a large number of businesses have suspended and severely limited operations and unprecedented efforts have been implemented in attempting to stem the increase in infections and impacts. For over nine months, the virus has hammered the economy, restricted in-person events and meetings, and now the state and the rest of the country are trying to curb another surge of infections. The Non-stop spread of infections has also resulted in millions losing their jobs with unemployment reaching record highs in the

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Troyer Contracting - SoFi Stadium
Cold Fluid Applied Waterproofing



RiteWay Roof Corp., Starlight Elementary School, Beaumont, CA
New Construction



Eddie Marquez, J.D.
Executive Vice President

The final session of the California Legislature 2020 witnessed a year like no other. The State Legislature, having to shut-down twice and conduct business virtually due to the pandemic, finalized their business on September 30 and officially concluded the 2020 legislative year. The legislature reduced the number of bills it introduced in 2020 to focus on COVID-19 policy responses and other priority areas. In a typical year, the Legislature sends roughly over 2,400 bills to the governor for consideration. In 2020, the Governor signed a under 400 bills and vetoed 56.

With URCA's industry and business partnerships, active involvement, and high profile presence, there were some legislative wins for our industry due to the collective strength of our members and partners. Ever vigilant and supportive of sound public policy that supports our industry, URCA took the following positions on the following bills.

AB 685: Employee Notification - COVID-19 (URCA Opposed)

This bill was signed by the Governor and requires public and private employers to notify all employees and subcontractor employees, within one business day, regarding potential exposure to COVID-19. Specifically, the bill requires that if an employer is notified that an employee was potentially exposed at the workplace to any person that has COVID-19, the employer shall take steps in furtherance of the law.

SB 1159: Workers' Compensation - Coronavirus (URCA Opposed)

This bill was signed by the governor, and will increase workers' compensation costs for employers. The bill creates a "disputable" presumption, meaning that it is presumed that contraction of coronavirus is a workplace injury, but may be controverted by other evidence. The bill is retroactive and applies from the time the governor's similar Executive Order expired (July 6). The bill is an urgency

measure and takes effect immediately, with a sunset date of January 1, 2023.

SB 1383, CA Family Rights ACT (URCA OPPOSED)

The Governor signed this bill which significantly expands the California Family Rights Act ("CFRA") family and medical leave law by now applying it to all employers with 5 or more employees, adding the ability to care for a serious health condition of more family members, and eliminating other previous restrictions on the use of CFRA leave.

The following bills failed this year:

AB 196: Workers Compensation - Coronavirus (URCA OPPOSED)

This bill would have increased workers' comp. costs for employers. The bill originally created a "conclusive" presumption that contraction of coronavirus by essential employees is a workplace injury without ability of the employer to provide any evidence to the contrary. The bill was amended to create a "disputable" presumption and shorten the time frame for denial of claims, but still failed to pass.

AB 2999: Employees - Bereavement Leave (URCA OPPOSED)

This bill proposed a mandate on all employers to provide employees up to 10 days of unpaid bereavement leave for the death of a spouse, child, parent, sibling, grandparent or domestic partner. The bill died in policy committee.

AB 398: Head Tax over 500 employees (URCA OPPOSED) COVID-19 Local Government and School Recovery and Relief Act.

AB 398 would institute a tax of \$275 per employee for "an entity, including, but not limited to, a limited liability company, corporation, or limited liability partnership, that has more than 500 employees that perform any part of their duties within the state."



Compliance Continued

stopping the payroll and Workers' Compensation scams that have become a lucrative revenue source for unscrupulous contractors.

The SCLMT utilizes agencies such as the Workers Compensation Fraud Unit, CA Department of Industrial Relations, CA Employment Development Department's Fraud Division, CA Department of Insurance, CA Franchise Tax Board, CA

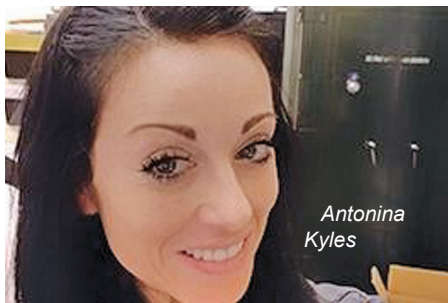
Department of Labor, CA Contractors Licensing Board, District Attorney's Offices, and others to assist in criminally prosecuting offenders who choose to be in violation of the law.

For more information or to report fraud or suspected activities that harm our industry, please visit <https://socialunionroofers.org>.



URCA's 2020 Don Banks Memorial Scholarship Winners

URCA is pleased to announce that four recipients were awarded URCA 2020 Don Banks Memorial Scholarships. The recipients were selected and recognized for their scholastic and community achievements and for their commitment to furthering their education. The Don Banks Memorial Scholarship is open to URCA member company employees, spouses, and children who pursue higher education.



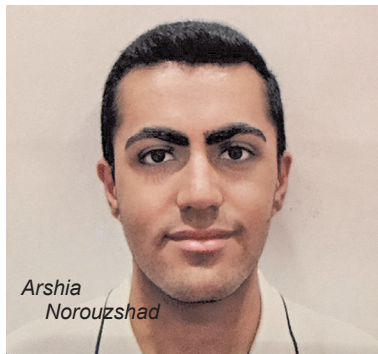
Antonina
Kyles

Antonina Kyles was awarded the \$3,000 Four-Year Scholarship, renewable yearly based on academic performance. Antonina is a dual major pursuing a Bachelor in Criminal Justice and Psychology with plans to attend Law school, focusing on social justice. She will be attending Loyola Marymount, New Orleans 2021, Antonina's father is Mark Troyer, former URCA Board Member and long-time respected URCA Contractor.

The following three recipients were awarded the \$1500 one-time scholarship. Arshia Norouzshad, Crista Baisley, and Alejandro Temblador.

Arshia Norouzshad is currently attending UC Irvine, majoring in Computer Science, and plans to pursue a career in the field of cybersecurity. Arshia's mother is employed by BEST Contracting.

Crista Baisley is currently attending UCLA, majoring in Eng-



Arshia
Norouzshad



Crista
Baisley



Alejandro
Temblador

lish, and will become a teacher when she graduates. Crista's father is employed by BEST Contracting.

Alejandro Temblador is attending CSU Long Beach, pursuing his Masters in Mechanical Engineering, and hopes to continue in the construction industry after graduation. Alejandro is employed

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IIBEC Southern California Chapter Hosts Golf Tournament



On September 11, 2020, the IIBEC SoCal Chapter hosted its 18th Annual Golf Tournament at Monarch Beach Golf Links in Dana Point, CA. Despite the unprecedented challenges of 2020, the event was as enjoyable as always with the attendance of 144 golfers who made it out to enjoy the course with its coastal scenic views in perfect weather.



View of the Pacific Ocean from the Monarch Beach Golf Links.



COVID-19 Continued

state. Even for those spared the worst, the pandemic has upended their lives.

URCA will continue to provide valuable services to our members, be involved in important legislative and regulatory decisions that impact our industry, and will continue to provide top educational training and industry compliance.





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Charitable Contributions and Community Investment

URCA is committed to building strong, robust, and thriving communities and is supportive of the men and women who serve in the armed forces and protect our country. URCA recently contributed to two organizations that support the armed forces, veterans, and first responders. URCA proudly contributed \$2,000 to the Gary Sinise Foundation and \$2,000 to the Wounded Warriors foundation. URCA believes in doing well by doing good and these partnerships further represent our commitments to the communities in which we live and work.



Scholarship Continued

full-time at BEST Contracting while also attending school full-time.

Greg Banks, URCA Board Secretary, congratulated the scholarship recipients by saying, "On behalf of the scholarship committee and all of URCA, congratulations to all and best wishes with respect to your academic and career pursuits. Education is a core value and URCA is committed to supporting our members, their employees, and their families."

URCA is honored and proud to share that as of 2020, URCA has awarded over \$365,000 in scholarship awards and contributed to the success of future scholars.



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*CHAIRMAN, **SECRETARY-TREASURER

The mission of the Union Roofing Contractors Association is to promote quality construction utilizing highly trained and skilled employees. The URCA is dedicated to the highest standards of professional integrity.

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Keep Updated or Find A Contractor Visit www.URCA.org