



PHCC Pipe Dope

Volume 23 Issue 1

January-February 2019

Plumbing-Heating-Cooling Contractors of Alameda & Contra Costa Counties, Inc.

PHCC EXPO '2019' - TRADE SHOW 40th Annual

Dear Plumbing, Heating, Cooling Contractors/Suppliers:

On behalf of the PHCC Chapter of Alameda & Contra Costa Counties, I would like to invite you and representatives of your company as our guests to the largest plumbing, heating and cooling industry trade show of its kind in Northern California, **EXPO 2019**.

If your company is in the business of: plumbing, air conditioning systems, backflow prevention, boilers, chillers, compressors, computer software/hardware, controls, drains, ducts, filter systems, garbage disposals, heat exchangers, heaters, heating equipment, HVAC equipment, hydraulic systems, indoor air quality, mechanical insulation, insurance, pipe and piping systems, refrigeration, safety equipment, valves, ventilation, water heaters/coolers and more . . . then you cannot afford to miss this opportunity to visit exhibitors with the latest plumbing, heating, cooling and HVAC products available for display.

This year's show will take place at the Alameda County Fairgrounds in Pleasanton from 4:00 – 8:30 P.M. on **April 16th**. There is plenty of **FREE** parking available, and like last year, there will be plenty of food and drinks available.

I believe you will see the educational value of such a Trade Show for your company's key personnel as well as your **young apprentices and veteran journeyman**. Please find the enclosed complimentary tickets for your use. If you need additional tickets, please feel free to contact me at (510) 582-0934 or Chris at the PHCC Office at (925) 455-4188. There will also be tickets available at the door, and please note **...admission is free!**

Thank you for your support and see you at the Trade Show.

Sincerely,

Jeff Greer
Jeff Greer
Greer Family Plumbing
EXPO 2018 Chairman



Alameda County Fairgrounds
Gate 12 off Valley Ave., Pleasanton, CA 94566

2018 - 2019
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IAPMO UPDATE

413.0 Flushing Devices for Water Closets and Urinals.

413.1 Application. Flushometer valves, flushometer tanks, or flush tanks shall comply with the applicable standards referenced in Table 1401.1.

413.2 Flushing Devices Required. Each water closet, urinal, clinic sink, or other plumbing fixture that depends on trap siphonage to discharge its waste contents shall be provided with a flushometer valve, flushometer tank, or flush tank designed and installed so as to supply water in sufficient quantity and rate of flow to flush the contents of the fixture to which it is connected, to cleanse the fixture, and to refill the fixture trap, without excessive water use. Flushing devices shall meet antisiphon requirements in accordance with Section 603.5.

413.3 Flushometer Valves. No manually controlled flushometer valve shall be used to flush more than one urinal, and each such urinal flushometer valve shall be an approved, self-closing type discharging a predetermined quantity of water. Flushometers shall be installed so that they will be accessible for repair. Flushometer valves shall not be used where the water pressure is insufficient to properly operate them. Where the valve is operated, it shall complete the cycle of operation automatically, opening fully, and closing positively under the line water pressure. Each flushometer shall be provided with a means for regulating the flow through it. *[OSHPD 1, 2, 3, & 4] Sensor operated flush valves shall be capable of functioning during loss of normal power.*

The PHCC Pipe Dope is published 6 times per year for the Alameda & Contra Costa Counties Chapter of PHCC. Letters and opinions do not necessarily reflect the views of the officers or members of Alameda & Contra Costa PHCC.

PHCC-ACCC Members: *Your staff is always looking for ways to serve you better. If you have a good article or hot tip let us know. Call (925) 455-4188 or fax information to*



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**PHCC Alameda-Contra Costa
Counties
Annual Fund Raiser
Sponsored by
Knapheide Truck Equipment**



Date: March 2, 2019
Time: 6:00 to 10:00 PM
St. Philip Lutheran Church
8850 Davona Ct.
Dublin CA

**15th
Annual Crab
Feed**



**Price Includes: *Crab - Salad - Pasta - Bread - and
Drinks included! Raffle Prizes - Music - Fun**

**Tickets: \$60.00 advanced
\$70.00 after Feb. 16, 2019
For tickets call Chris (925) 455-4188
Fax (925) 455-4187
Chicken Dinner served for our non-crab eaters**

This is a pre-paid event only!
Cut out and return to the PHCC Office with your payment and the following information:
Name: _____
Company: _____
Number Attending: Crab: _____ Chicken: _____



CSLB Taking a Closer Look at Workers' Compensation Insurance Issues

In California, all companies, in whatever industry, are required to cover employees with workers' compensation (WC) insurance. This includes construction.

A WC insurance policy provides covered employees with medical and wage replacement benefits in case of workplace injuries that happen in the normal course of business.

Generally, all businesses with employees must purchase a workers' compensation insurance policy from a private insurance company or the State Compensation Insurance Fund. Some large businesses are self-insured and do not purchase insurance policies from an insurance company. Businesses can also choose to use workers from a labor agency, whose WC insurance policy covers those workers.

To maintain an active contractor license in California, licensees are required to have on file with CSLB either a Certificate of Workers' Compensation Insurance or a Certificate of Self-Insurance (issued by the Department of Industrial Relations), or an exemption stating that the business does not have any employees and, therefore, does not need workers' compensation insurance. (All C-39 Roofing contractors must have workers' compensation, whether or not they have employees.)

Unfortunately, there appears to be a significant number of contractors who bypass this requirement, or possibly commit fraud in the process by underreporting or misreporting their workers.

The link below will take you to a chart, broken down by license classification, that shows the percentage of active contractors with a WC exemption on file with CSLB, as of June 1, 2018:

Last November, CSLB created an advisory committee of two Board members to work with staff and stakeholders to develop strategies to address this problem. These strategies include:

- Continue to share licensee workers' compensation data with interested parties.
- Request a meeting with state agency enforcement partners to discuss information-sharing opportunities, including how to utilize the Workers' Compensation Insurance Rating Bureau to identify licensees who did not cooperate in an insurance audit for possible issuance of a CSLB advisory notice.
- Have CSLB issue a letter of admonishment when a licensee is subject to the WC suspension program, which will serve as a flag to insurance carriers that the licensee has been found to employ workers without a WC policy.
- Provide feedback to the State Compensation Insurance Fund (SCIF) as it relates to the auditing process for C-39 (Roofing) licensees who get workers' compensation through SCIF.

There are also several possible legislative proposals under consideration. These include:

- Adding a mandatory workers' compensation requirement for a limited number of other license classifications.
- Precluding licensees from filing a new workers' compensation exemption with CSLB for a period of one year if they are found to have violated Labor Code 3700 (employed workers without a workers' compensation insurance policy).



PHCC Member.....	\$495
Non Member.....	\$595
Social Guests/Non-Contractor.....	\$450 (<i>Receptions/Mixers Only</i>)
Sponsors/Industry Affiliate.....	\$495
PHCC Chapter Executive.....	\$375
Children Ages 3-9 (0-2 Free).....	\$250
Day Pass (All events that date).....	\$250
Dinner ONLY Options	
Luau Welcome Dinner 4/10/19.....	\$150
Installation & Awards Dinner 4/12/19.....	\$125
Information: PHCC Headquarters at 800-780-PHCC	

National PHCC News & Information



PHCC Water Supply Calculator App

The PHCC Water Supply Calculator App offers a single resource to determine water supply fixture units and minimum fixture branch sizes for common plumbing fixtures, typical pressure drops in water meters, equivalent lengths of fittings.

The app also allows a user to input a fixture unit demand, resulting in suggested pipe size, determines GPM demand, pressure drop/100', and velocity in Type "L" copper pipe; with selectors referenced to the National Standard Plumbing Code, the Uniform Plumbing Code, and the International Plumbing Code.

In addition to the calculator, the app serves as an all-in-one membership engagement tool that allows members to directly access PHCC information and resources on their portable device.

PHCC is now everywhere you are!

The Water Supply Calculator App is brought to you by Charles "Chip" Greene, 2015-2016 PHCC National President





WANTED

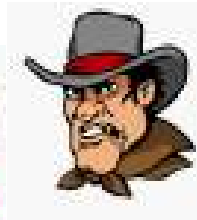
Alive and Kick'n 40th Annual PHCC TRADE SHOW



Plumbing



Heating



Cooling

Tuesday April 16, 2019

4:00pm - 8:00pm

Alameda County Fairgrounds Gate 12

4501 Pleasanton Ave. - Pleasanton, CA

Free Parking Available

Food and Drinks

TERRITORY PHCC of Alameda & Contra Costa

REWARD - FREE ADMISSION

Presidents Report

by Jeff Greer

The up coming crab feed will b March 2, at St Philip Luththeran Church in Dublin. This year it is sponsored by Knapheide Truck in Tracy> Be sure to call Chris if you haven't ordered your tickets yet they are \$60.00 includes drinks! A Table of 8 will be \$55.00 a person. Chicken pre ordered for those that do not eat crab. Come out and enjoy a night of fun and bring your co workers, friends and relatives this event is open to eve-ryone! The PHCC State convention this year will be April 9-13th in Honolulu if you would like more infor-mation call Chris at 25) 45-4188.

Hope to see everyone at the crab feed!

Executive Directors Report

by Chris Bonetti

The next general meeting will be held at Cattlemen's in Livermore on February 19th if you have not reserved your spot for this meeting be sure to call the PHCC of-fice by February 12th.

State Convention will be held in Honolulu this year with lots of interesting speakers and events planned! If you would like more info contact the PHCC office at 925 455-4188. or **PHCC Headquarters at 800-780-PHCC**

The Trade Show EXPO-2019 still has booths available! Take advantage of the early bird pricing and sign up by February 12th!

There will be a contest for best themed booth. Get your western wear out and come celebrate with us at EXPO-2019.

Chris Bonetti
Executive Manager
PHCC-ACCC

FEBRUARY'S Special Days

Dan Bonetti
(Frank Bonetti Plumbing)
Happy Birthday

We wish you all a very Special Day and many more.

Please send in your Birthday or Anniversary date so we can wish you the very best for your special day!





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Contractors New Law Regarding Private Works Contracts

By Bradley D. Bosomworth, Esq., Roger Mason, Esq., Christopher J. Olson, Esq., Scott A. Mangum, Esq., Rachel E. Brown, Esq., and William M. Kaufman, Esq.

The importance of carefully reviewing, or having counsel review, your California private construction subcontracts in 2018 cannot be overstated.

Contractors who have direct contracts with owners ("Direct Contractors") now have expanded liability under California law. An action may now be brought against Direct Contractors for nonpayment of wages, fringe benefits, or health and welfare or pension fund contributions on private works. Previously, the law applied only to public works.

As of January 1, 2018, a Direct Contractor is now liable for its subcontractors' failure to pay wages (any and all tiers) for private works construction contracts executed on or after January 1, 2018 (Civil Code Section 8018). A Direct Contractor (also referred to as a General Contractor or Prime Contractor) is responsible to pay its subcontractor's wages and benefits if that subcontractor fails to pay such wages and benefits. (California Labor Code 218.7; otherwise known as AB 1701). The new law applies to all Direct Contractors who make or take a contract in California for the "erection, construction, alteration, repair of a building, structure." They must assume and be liable for debts owed to a wage claimant, or a third-party acting on behalf of the wage claimant, by the contractor's subcontractor. It applies only to unpaid wages, fringe benefits or other benefits of payment or contribution, including interest. It does not apply to penalties or liquidated damages.

The bill authorizes the Labor Commissioner to bring a civil action under Labor Code section 98 or 1197.1 to enforce a contractor's liability under Labor Code 218.7. A third party who is owed fringe or other benefits and a joint labor-management cooperation committee (e.g., the FFC) is also authorized to bring a civil action to enforce a contractor's liability under the law. If the action is brought by a joint labor-management cooperation committee, the prevailing plaintiff is entitled to its reasonable attorney's fees and costs, including expert witness fees. However, prior to bringing the suit, the committee must provide thirty (30) days' notice to the contractor.

Because Direct Contractors' are subject to increased exposure to liability under this new law, they will attempt to mitigate some of those risks and protect themselves through additional subcontract language. Subcontractors must be fully aware and prepare to respond to these changes. The new law requires a subcontractor, upon a Direct Contractor's request, to provide specified information regarding the subcontractor's and third parties' work on the project. Direct Contractors are now allowed to request that its Subcontractors provide payroll records with sufficient information to ensure that the Subcontractor is current on its payments for wage, fringe and other benefits. The law now specifically requires the Subcontractor to provide payroll records and information about its lower tier subcontractors, among other items, to the Direct Contractor to assure compliance. As a consequence, a Direct Contractor may withhold disputed sums upon the subcontractor's failure to provide the requested information. "Disputed" is defined as "all sums owed". Ultimately, these requirements may protect Direct Contractors from claims and prompt payment penalties for non-payment pursuant to Business and Professions Code Section 7108.5 and Civil Code Section 8818 if the Subcontractor does not provide the required payroll records and information about lower tier subcontractors or employees. Whether your company is a licensed general contractor or subcontractor, if you are performing construction work on private projects, you MUST be aware of this new law and its potential consequences. If you have any specific questions or would like more details, please do not hesitate to call our office and one of our experienced construction or employment law attorneys will be happy to assist you.

The information provided in this issue of "Legal Notice" is general in nature and is not intended to answer every question that may arise under different fact situations and should not be relied on in the place of professional advice in a given case. If you have specific questions please contact Joseph M. Sweeney, Esq., Roger Mason, Esq. Christopher J. Olson, Esq. Scott A. Mangum, Esq. Rachel E. Brown, Esq., or William M. Kaufman, Esq.

SWEENEY, MASON, WILSON & BOSOMWORTH is a Professional Law Corporation located at 983 University Avenue, Suite 104C, Los Gatos, California, 95030, telephone (408) 356-3000. This "Legal Notice" is designed to assist our clients and other business owners in spotting issues which may result in costly litigation and court awarded damages if allowed to continue unaddressed.

SWEENEY, MASON, WILSON & BOSOMWORTH's philosophy is that by educating our clients and other businesses about their legal obligations, including changes in the law, we best serve our legal goal of minimizing or preventing expensive litigation.

CAPITAL CONNECTION -- January 22, 2019

NASCLA License, Family Transfer and Test Reschedule Fees

One size does not fit all when it comes to contractor licenses! A ‘grand-daddy’ of questions has a family flair, and a final question that is ‘pass’ or ‘fail’...

Q: I have taken the NASCLA (National Association of State Licensing Agencies) General Building exam. Will that qualify me for a license in CA, NV, and AZ?

A: To qualify for a license in CA, NV, and AZ, you are required to document at least four years of experience in the trade. The fact that you passed the NASCLA exam will allow you to waive the trade exam in Nevada, however you will still be required to take the Construction Management Survey exam. CA and AZ do not recognize the NASCLA exam, both law and trade exams would be required in CA and AZ.

Q: My husband has been working for his parent’s family-owned company for the past ten years. His parents want to retire, and I read somewhere that he would be able to work under a “grandfather” license. I haven’t really been able to find out too much information about the process and what he needs to qualify or how to go about doing that. Any advice would be appreciated.

A: There is no formal “grandfather” license. I think you’re referring to a law (7065.1) that allows a close relative to take over an existing license. If the family owned business is a Sole Proprietorship, this is commonly referred to as a “family waiver”. This would allow your husband to waive the exams and become the new Qualifier. On the other hand, if the family business is a corporation, your husband can apply to replace the present Qualifier (his father or mother) with a Waiver request.

Q: I have been in contact with the CSLB regarding the need for our company to hold the “A” General Engineering classification vs. the “C-/61”/”D-21” Machinery and Pumps license. It seems that either one would work, but I wanted to make sure we would be able to sub-contract out the electrical/mechanical portion of our work with either license. Do you have any advice?

A: If you plan on subcontracting or self-performing any of the work then the “A” General Engineering classification is required.

Q: Your company is helping us obtain our CA Contractor’s License. If our qualifying party fails to pass the exam, how does that change the process?

A: If your Qualifier fails the Law and Business examination and/or the Trade examination, you must pay a \$60 fee each time he/she is rescheduled. The CSLB gives a period of 18 months to pass the examinations. If he/she does not pass within 18 months after the application is accepted by the Board, your application is considered void, and you will have to submit a new application with new fees

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