



Member Associations of

PRINTING INDUSTRIES OF CALIFORNIA

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Headline Summary

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Sales Tax Help

Sales tax is a major piece of California's revenue stream. In recent years, California has aggressively pursued income from sales audit and enforcement programs.

If you looking for an answer to a specific question or an expert in a sales tax audit defense, that's where we come in. Our goal is to answer your questions before a visit by a Board of Equalization auditor. We're just a telephone call or email away. In those cases that require an audit finding to be appealed, we can guide you, with our specialized, in-depth experience, through the California Board of Equalization's administrative appeals process.

Take advantage of this member service. Call or email Gerry Bonetto at (323) 728-9500 or gerry@piasc.org.

WatchDog

Guarding the Business of Print

February 2015

Post OSHA Form 300A

Employers must post the *Form 300A* summary of job-related injuries and illnesses from 2014 at their place of business no later than February 1, 2015.

Employers are required to post only the summary (*Form 300A*)—not the *Form 300* (Log)—by February 1st and keep it posted until April 30th. The summary must list the total number of job-related injuries and illnesses that occurred in the previous year and were logged on the *Form 300*.

Companies with no recordable injuries or illnesses in the previous year must post the summary with zeros on the "total" line. A company executive must certify all establishment summaries.

The summary is to be displayed in a common area where notices to employees usually are posted. Employers must make a copy of the summary available to employees who move from worksite to worksite, such as construction workers, and employees who do not report to any fixed establishment on a regular basis.

SCAQMD Rule 317

On February 18th, the 9th Circuit Court will hear the case *Clean Air Fees*. The case was brought against the South Coast Air Quality Management District ("District") by various environmental groups.

As you may recall, to comply with Section 185 of the Clean Air Act, facilities that have the potential to emit over 10 tons VOC and NOx per year receive a baseline at 80 percent of 2010 actual emissions and pay fees yearly (currently at near \$11,000 a ton) for emissions over this 2010 baseline. The District has identified 45 -50 printers in this category.

Initially the District proposed businesses pay 100 percent of this fee. A revised proposal, satisfying Section 185 of the Clean Air Act, establishes a "fee equivalent" approach. This proposal uses alternative funding from federal, state, and local sources to replace the fees that would have been otherwise paid by the regulated businesses on a dollar for dollar basis.

Environmental organizations challenged the proposal in the DC District Court as a final EPA agency action. PIC joined other groups to intervene in that action. The court ruled for the plaintiffs on certain grounds, but did not prohibit EPA from applying its guidance document as informal approval criteria in reviewing specific state implementation plans (SIPs) when the rules were submitted to EPA for review.

So the battle ground shifted to the 9th Circuit Court of Appeals where the environmental groups challenge the nonattainment fees on businesses (on stationary sources).

For more information, please contact Gerry Bonetto at (323) 728-9500, Ext. 248.

Final Notice: Labor Law Posters

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 poster does not meet the federal and state 2015 requirements. Some poster updates include the following:

- California Cal / OSHA - (8/27/2014)
- Whistle Blower Protection Act - (8/27/2014)
- California Minimum Wage - (7/2014)
- California Notice to Employees - (11/2013)

The posters are:

- Laminated on both sides and printed in high-quality full color
- Combo measures 27" x 39"

The cost for the 2015 all-in-one poster is the same as last year, \$24.50, which includes postage and sales tax. A credit card is required for purchase.

To order your posters, contact Rose Dorado at rosed@piasc.org (323-728-9500, Ext. 231).

Union Membership Falls

In 2014, the number of wage and salary workers belonging to unions, at 14.576 million, was little different from 2013 (14.528 million).

Highlights from the 2014 data include the following:

- Public-sector workers had a union membership rate (35.7 percent), more than five times higher than that of private-sector workers (6.6 percent).
- Manufacturing sector workers had a union membership rate of 9.7 percent, down from 10.1 percent in 2013.
- Workers in the 55-64 age group had the highest union membership rate (14.1 percent, down from 14.3 percent in 2013).
- Workers in the 16-24 age group had the lowest union membership rate (4.5 percent, up from 4.2 percent in 2013).
- Workers in the 25-34 age group had the second lowest union membership rate (9.5 percent, down from 9.8 percent in 2013).
- Among states, New York continued to have the highest union membership rate (24.6 percent), and North Carolina again had the lowest rate (1.9 percent).

Proposed Prop 65 Regulation

On January 12th, the Office of Environmental Health Hazard Assessment (OEHHA) issued their "final draft" of proposed changes to regulations concerning Proposition 65 warnings and announced the commencement of formal rulemaking. This draft follows a previous pre-regulatory draft.

The major changes are:

1. Warnings would be required to be provided to consumers prior to purchase, rather than prior to potential exposure.
2. Warnings would say that the product "can expose you to a chemical" rather than "the product contains a chemical."
3. Any interested party can request OEHHA to adopt a warning method or content specific to a product. This opens the door for plaintiffs to demand specific warnings on certain products.
4. Warnings must include a graphic of a black exclamation mark within a yellow triangle.
5. Warnings would be required in multiple languages if a product label or sign uses different languages.
6. Twelve common chemicals (acrylamide, arsenic, benzene, cadmium, carbon monoxide, chlorinated tris, formaldehyde, hexavalent chromium, lead, mercury, methylene chloride and phthalates) must be identified in the warning if exposure to that chemical is reasonably anticipated to occur.
7. Warnings would also be required to include the URL for a website maintained by OEHHA which would contain more detailed information.

OEHHA concludes that these regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Required Pamphlets

State and federal regulatory agencies require that businesses provide new hires with several pamphlets explaining their rights in a number of important areas of employment law:

- **Rights to Workers' Compensation Benefits Pamphlet** - Effective July 1, 2014, the pamphlet includes two new forms for pre-designating a personal physician or a personal chiropractor (www.dir.ca.gov/dwc/DWCPamphlets/TimeOfHirePamphlet.pdf).
- **State Disability Insurance Provisions** - This pamphlet notifies employees of their right to disability insurance benefits if they sustain a non-work related injury (www.edd.ca.gov/pdf_pub_ctr/de2515.pdf).
- **Paid Family Leave Pamphlet** - This pamphlet must be given to all new employees and employees taking a leave of absence that may entitle them to paid family leave wage replacement benefits (www.edd.ca.gov/pdf_pub_ctr/de2511.pdf).
- **Unemployment Insurance Pamphlet** - Notifies employees of their right to unemployment insurance benefits when they are terminated, laid off, or granted a leave of absence (www.edd.ca.gov/pdf_pub_ctr/de1275b.pdf).
- **Sexual Harassment Pamphlet** - Informs employees of their rights to an harassment-free workplace and provides a harassment complaint procedure (www.dfeh.ca.gov/res/docs/publications/DFEH-185.pdf).
- **Wage and Employment Notice to Employees** - Requires employer to provide nonexempt employees with specific wage information to employees at the time of hire ([www.dir.ca.gov/DLSE/Publications/LC_2810.5_Notice_\(Revised-11_2014\).pdf](http://www.dir.ca.gov/DLSE/Publications/LC_2810.5_Notice_(Revised-11_2014).pdf)).

