



News leaks

Upcoming Events



September 25th - Plumbers' Training Center Event

November 7th - Membership Meeting

December 6th - Big Cheese, CSUS Alumni Center

What's on OSHA'S Agenda for 2013?

OSHA released its spring 2013 regulatory agenda, outlining the rules it plans to propose or issue in final form within the next six months.

OSHA plans to issue nine proposed rules and nine final rules during this period. Health and safety-related rules top the agenda.

Two of the proposed rules for 2013 include rules governing occupational exposure to crystalline silica and beryllium. OSHA plans to issue these proposed rules in July 2013 and by October 2013, respectively.

By the end of 2013, OSHA intends to have final rules in place for the following:

- Confined spaces in construction
- Electric power transmission and distribution
- Electrical protective equipment
- Personal fall protection systems

OSHA also announced plans to focus on the following items in 2013:

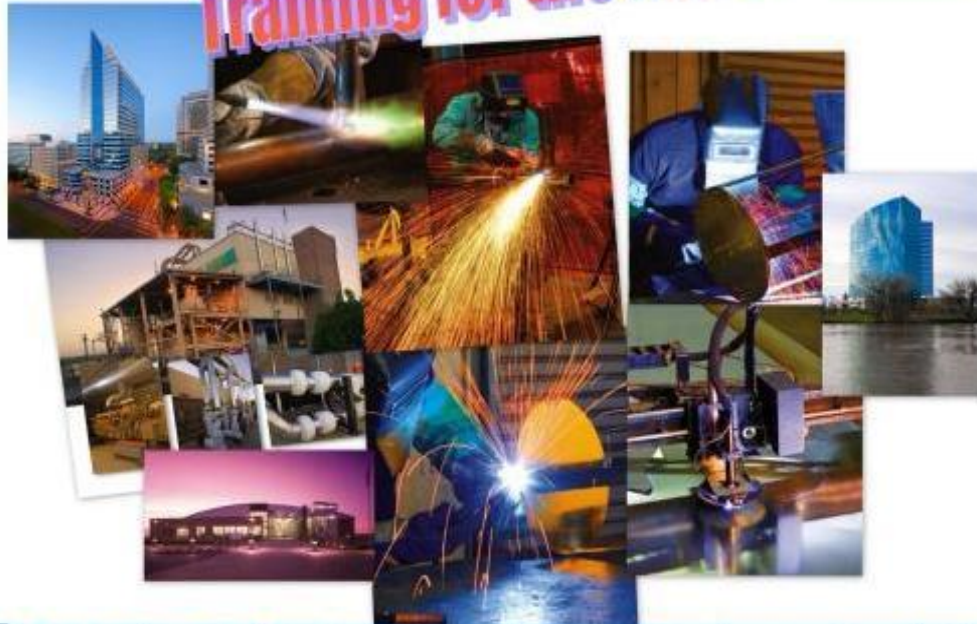
- Injury and Illness Prevention Program (I2P2)—OSHA plans to issue a proposed rule by January 2014. It's still unknown what exactly the proposed rule will include, but it could significantly affect employers' health and safety obligations.
- Whistleblower rules—by April 2014, OSHA plans to issue final whistleblower rules under the Consumer Financial Protection Act, the Affordable Care Act and more.

Courtesy of Warren G. Bender



You're Invited!

Training for the Future



APMC, NorCal MCA, & Plumbers & Pipefitters Local 447 invite you to mingle with local leaders, enjoy fabulous food and refreshments, and tour one of California's premiere apprenticeship training facilities.

Wednesday, September 25th

5:30 p.m.—8:00 p.m.

Plumbers & Pipefitters Training Center

8750 Younger Creek Drive, Sacramento

Please RSVP by September 20th

Email: claired@sacvalleyassoc.net or call 916.475.1226

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Mechanical Contractors
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Need HELP With OSHA's Recently Revised (GHS) Hazard Communication Standard? Contact MCAA at pchaney@mcaa.org or 800-556-3653

Contractors' Compliance Date December 1, 2013

New MCAA Hazard Communication Resources –

-  Member Discount on SDS BinderWorks – Industry-Specific Safety Data Sheet (SDS) Management Service (See enclosed flyer)
-  Model Hazard Communication Program (Free to members)
-  Employee Safety Training Video (Free to members)
-  Employee Safety Training Pocket Guide (Free to members)
-  Employee Safety Training Test - For Documentation & Affirmative Defense (Free to members)
-  Safety Training Documentation Sheet (Free to members)
-  Pictogram Poster (For Offices, Break Rooms, Jobsite Trailers, etc.)



Employers Must Be Alert to Section 1512 of the Affordable Care Act



By [Scott Hauge](#)

President, Small Business California

Tuesday, August 27th, 2013

Although several provisions of the Affordable Care Act (ACA) have been in effect since 2010, the majority of the regulations that affect employers will take effect in the fall of 2013 and 2014. One new requirement that may have slipped past you and where the clock is quickly ticking down in order to comply is Section 1512. This requirement applies whether your business is large or small, already provides health benefits to employees or not, or falls under the employer mandate or not.

The ACA, per section 1512, amended the Fair Labor Standards Act (FLSA) requiring employers to provide a written notice describing certain elements of the Health Insurance Exchange and subsidy eligibility to all current and future employees, and do so no later than *October 1, 2013* (a date moved back from the original of March 1, 2013). The deadline is intended to correspond to the open enrollment period beginning October 1 for coverage through the marketplace beginning January 1, 2014.

Technically, the notice requirement applies only to employers subject to the FLSA—those engaging in, or producing goods for, interstate commerce and whose annual sales total \$500,000 or more. However, that is a very large category that is essentially most private-sector employers and certain governmental entities, such as schools, hospitals, nursing homes, institutions of higher learning and federal, state and local government agencies. Additionally, because this requirement also falls under the Labor Management Relations Act, it applies regardless of whether or not the employer is considered “large” (with at least 50 full-time equivalent employees) and therefore subject to the employer mandate provisions of the ACA.

The notice must be delivered to every employee, full-time and part-time, and whether or not they have health plan coverage. As an employer, you are not required to give any notice to dependents or other individuals who are or may become eligible for coverage under the plan but who are not employees.

Luckily, the Department of Labor has provided two models of such a notice: one for employers that [do not](#) offer a health plan and another for employers that [do](#) offer health benefits to some or all employees. Employers may use one of these models, as applicable, or a customized version, provided the notice meets the content requirements:

- First it must give basic information on Covered California (the health insurance exchange/marketplace here in California): that it exists, a description of its services and contact information.
- Secondly, an explanation that an employee may be eligible for a tax credit on premiums if they purchase coverage through the marketplace. In cases where said employee already receives benefits via their employer, they might be eligible if the employer plan covers less than 60% of allowable claims (thus not providing minimum value).
- Thirdly, it should note that any employer contribution to a health benefits plan may be lost if the employee chooses to purchase coverage through the marketplace, and that the employer contribution may have been excludable from federal income tax.

The model notices, however, are not just boilerplate language that can be photocopied and dispersed to current employees and new hires or posted to a bulletin board. There are a few details you as an employer will need to fill in.

Both forms, regardless of whether coverage is provided or not, require employer identifying and contact information. However, the form for employers *with* group health insurance coverage also requires:

- Information on to whom health coverage is offered and the eligibility requirement and whether dependents may obtain coverage and the rules for their eligibility
- A checkbox to indicate whether the coverage is affordable and meets the minimum value standard (under the affordable coverage requirement, the employee's share of the premium may not exceed 9.5% of annual household income, and to meet minimum value requirements, the plan's share of the cost of coverage must be at least 60%)
- The name and contact information for someone with more information about employer-sponsored coverage, which may include a human resources contact or even a broker or third party administrator.

Given the money and effort Covered California is soon going to expend to advertise the availability of insurance through the Exchanges, most employees probably will be aware of its existence. But mandate or no mandate and October 1st deadline or not, you as an employer have the opportunity to ensure that you are your employees' trusted source of ACA information and options.

<http://www.dol.gov/ebsa/pdf/FLSAwithoutplans.pdf> - Notice for employers who do not offer coverage.

<http://www.dol.gov/ebsa/pdf/FLSAwithplans.pdf> - Notice for employers who do offer coverage.

FMI'S Second Quarter Construction Outlook

The improvement in residential construction is the primary area of growth in our latest forecast. Most other sectors, while still improving over 2012, are growing at a somewhat slower rate. One of the reasons for this slow growth continues to be uncertainty caused by the federal budget competition that has gone well beyond the standard for extra innings.

Our overall forecast for U.S. construction put in place has been revised down from 8% last quarter to 7% in the second quarter. The revised figure for total construction put in place is \$913 billion for 2013, but we expect growth to return to 8% in 2014 to hit \$989 billion. The major markets downwardly adjusted for a slower growth forecast include residential improvements (-1.8%), commercial construction (-0.8%), health care (-3.15%), public safety (-2.5%), amusement and recreation (-2.0%), sewage and waste disposal (-3.8%), and water supply (-3.2%).

While there is no singular reason for the drop in these markets—each is evaluated on its own criteria—there are a few economic concerns that touch all of them. The first is the decline in public construction and expectations of more cuts as the sequestration continues. Second, lenders are still tight with their lending criteria. Consumers are still cautious about increasing their debt load. The economic climate will keep the heat on industry competition, especially if the mostly larger companies that make their livelihood in government construction start looking for work in already competitive private sectors.

To read FMI's Second Quarter Construction Outlook in its entirety, please visit:

http://www.fminet.com/media/pdf/forecasts/Outlook_2013Q2_FMI.pdf

