Dear Brothers and Sisters

By the time you receive this newsletter the California Paid Sick Leave law (AB 1522) will be in effect. AB 1522 – the Healthy Workplaces, Healthy Families Act of 2014 – provides California employees up to three days of paid sick leave per year. This is an important benefit that every electrician working in our jurisdiction is required to receive.

It’s important to note that AB 1522 has a special exemption for construction workers who are covered by a valid collective bargaining agreement “if the agreement expressly provides for the wages, hours of work, and working conditions of employees, premium wage rates for all overtime hours worked, and regular hourly pay of not less than 30 percent more than the state minimum wage rate, and the agreement either (A) was entered into before January 1, 2015, or (B) expressly waives the requirement of this article in clear and unambiguous terms.”

This means that construction workers covered by a collective bargaining agreement (CBA) entered into before January 1, 2015 are not covered by the new law while the CBA remains in effect (assuming that the CBA provides for wages at least 30 percent more than the state minimum wage and for overtime pay). That provision excludes all Sound and Communication workers at this time because your agreement was entered into on December 1, 2014. The Sound and Communications CBA expires on November 30, 2017 so the sick leave benefit will be effective after that date if the negotiations for a new contract do not provide for some level of compensation to waive the requirement. If you are currently traveling you will need to check with the local union where you are dispatched to see if they have opted to keep the sick leave benefit. There are several Bay Area locals that have negotiated an increase in wages instead of keeping the paid sick leave benefit.

Here in Local 551 all inside employers must comply with the law without exception. Electricians who work at least 30 days within a year are entitled to receive paid sick leave at their regular rate of pay. You are entitled to use accrued sick days beginning on the 90th day of employment. Your employer can use either the accrual method or the up-front lump-sum method to determine how many hours or day of sick leave their electricians receive. Under the accrual method, an employee must accrue at least 1 hour of paid sick leave for each 30 hours worked. This equates to approximately 5.3 hours per month for employees who work 40 hours per week; however, your employer can limit the accrual to 6 days or 48 hours annually. Under the up-front lump-sum method, your employer can credit you with 3 days or 24 hours of sick leave at the beginning of each year or 12 month period, and your employer will not have to track accrual based on hours worked. Your employer can limit the carryover of accrued sick days to no more than three days or 24 hours of paid sick leave from one year to the next. However, no accrual or carry-over is required if the employer uses the up-front lump-sum method and credits their electricians with at least 3 days or 24 hours of sick leave as of the beginning of each year. Your employer can set a reasonable minimum increment of time, not to exceed two hours, for the use of paid sick leave.

As of July 1, 2015, electricians can use paid sick days as they accrue, but no earlier than the 90th day of employment. You are not required to wait for your employer to find a replacement worker to cover the time you are off. You must provide “reasonable” advanced notice if the need for paid sick leave is foreseeable. If it is not foreseeable, then you must provide notice of the need for leave as soon as practicable. You may use paid sick time for yourself or a family member, which includes: child, parent, spouse, registered domestic partner, grandparent, grandchild, or sibling.

Your employer is not required to pay out accrued but unused sick days when employment is terminated. If the same contractor rehires you within one year then your accrued balance of sick leave hours must be reinstated. At the time of hire, the contractor must provide written notice to electricians of their paid sick leave rights (to accrue and use paid sick leave, to be free from retaliation and to file a complaint). At regular paydays, your contractor must provide each electrician with written notice of the amount of paid sick leave available, either on your pay stub or in a separate writing provided at the same time.

This benefit is not something that was specifically negotiated into our CBA; it is the law in California. If a contractor is not in compliance with the law there are penalties. The Labor Commissioner may order any of the following, if it finds an employer in violation of AB 1522 requirements: reinstatement, back pay, payment of sick days unlawfully withheld, plus payment of an administrative penalty. The administrative penalty may be the greater of three times the dollar value of the paid sick leave days withheld, or $250, to a maximum of $4,000. If the employer fails to promptly comply with the above, the Labor Commissioner may take enforcement action, which could resolute in a penalty of up to $50 per day per employee whose rights are violated.

Employees may not file lawsuits against employers for allegedly violating the new paid sick leave provisions. However, the Labor Commissioner or the Attorney General may file a civil action in court against the employer and, if they prevail, are entitled “on behalf of the aggrieved” employee, to all the remedies listed above plus reasonable attorneys’ fees and costs. Employers must not retaliate against employees who use paid sick time, or file complaints with the Labor Commissioner claiming the employer violated their rights.

The ability to have a paid sick leave benefit as a construction worker is definitely an improvement to our quality of life.

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CONGRATULATIONS TO THE GRADUATING CLASSES OF 2015


Journeyman upgrade classes were well attended late Winter/early Spring. With the nicer weather, the interest in attending classes has dropped. We have a tentative schedule put together for Fall/Winter that we hope to have out to the membership sometime this August.

We have one last class scheduled for this Summer: Lighting Control Acceptance Tester certification (16 CEU hours). You must have completed the 50 hour Advanced Lighting Control class to attend.

The classes are scheduled for Saturday, July 18 and August 1, 2015 from 7:00am - 3:30pm. If interested in attending this class send me an email to start your registration at steves@ibewlocal551.org.

All class fees have been waived for 551 members for the remainder of 2015.

STEVE STOBEL - TRAINING DIRECTOR

Have you ever heard the words “Rat” or “Scab” used on a jobsite? Have you heard those words directed at anyone in particular or just said out loud with the hopes they will be heard...? “That guy over there is a scab!” or “He’s a rat!” Many of you do know what these words mean but for those who don’t – A Scab is someone who crosses their own trade’s picket line to go to work, and a Rat is a contractor who pays sub-standard wages to their workers.

Sometimes we hear these words directed at members of the IBEW out of context. These members could be new members, or members waiting to be tested by the examining board. More often than not these new members are CE/CW’s which is the classification given to us, by the International, as another tool to try to win back the private market. These members have already paid their dues while working nonunion – working without a Collective Bargaining Agreement – working for less wages, working for less or no health care and under poor conditions.

Take a good look around and see if you notice who is doing the work in your neighborhood. Ask the General Contractor who his electrical contractor is. Then ask that electrical contractor if he is union – if he says no then please let me know where that job is. If you were to ask one of our contractors if he bid the job – the answers have been much of the same....They were bidding until they heard a certain non-union contractor was also bidding same project - then they said “Forget it, he doesn’t pay his guys and we can’t get that low – why bother!”

Well that has been the story until we started implementing the CE/CW program. A Construction Wireman (CW) is like a pre-apprentice who is hoping one day to move up to our apprenticeship. A construction electrician (CE) is a state certified electrician with at least 8000 hours in the trade. It’s another name for an intermediate wireman waiting to take the Inside Wireman’s test. Most of the CE’s we have in 551 have asked to take the test, some have passed, and some have not. Some have asked to take some classes before they test. ALL WANT TO BE IN THE UNION and if they want to be in an electrical union then what better than the IBEW. We have a home for all. Remember these are electricians already out there doing electrical work, so let’s get them under the IBEW umbrella so our contractors can start going after the work that these guys have been doing and that way we can start winning back the private market in particular.

Let’s try and always remember to be inclusive not divisive. Let’s not use words that divide us. We must search for solutions when we see problems and not only point out the problems. Above all we must get back to where we feel the B in the IBEW. Let’s welcome our new members into OUR brotherhood and together we can link arms, hold the line and start to push back on those who want to take away what we have earned.

Lastly, if you know of any former members who are currently working in the trade – please ask them to call me directly and we will figure out an easy pathway to welcome them back into the IBEW. We are experiencing a shortage of highly skilled manpower in most trades and LU 551 is about to boom again.

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~VALUE ON DISPLAY~

Julio Soto - W Bradley Electric - Bio Marin

MEMBER ASSISTANCE

Sometimes life can be a scramble. Your member assistance Program (MAP) offers confidential assistance and support for a wide range of issues, including legal issues, parenting skills, depression/anxiety, substance abuse, grief and loss, financial planning, job stress etc. *All active eligible members of the Inside, Sound & Communications and Residential Health Plan* and their families are eligible for this benefit.

**Inside members** call PacifiCare Behavioral Health (PBH) for pre-authorization prior to receiving any services. THE PBH toll free number is 877-225-2267. When calling mention that you are a member of the Redwood Empire Electrical Workers Health & Welfare Plan. **Residential and Sound & Communication members** call the same number 877-225-2267. They will ask for your social security number.

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LOCAL UNION PICNIC

Local 551 will be having our picnic on Saturday, September 12, 2015. The picnic will be held at Morton’s Warm Springs in Glen Ellen with many activities. It is a great time for members and their families. We will also be holding our annual Building Corp. meeting at this event. More information will follow.

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CONDOLENCES

Our condolences to the families of our recently departed member:

Ralph Twichell passed 04/19/15 - Age 65 - initiated 03/14/74.

Also to Brother George Donohoe on the tragic loss of his daughter and niece in the Berkeley Balcony Accident.

And 9th District Vice President John O’Rourke on the loss of his father.

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DENISE SOZA - DISPATCHER

Hello Brothers and Sisters,

Summer is here with the weather and job calls cooking. With all apprentices working and book one fluctuating in the teens and low twenties, we had a three week spell of open calls. Fortunately all were filled within 48 hours. I’d like to thank our travelers for stepping up and helping our local fill these calls. Awesome to see everyone working out there.

Some 200 of you may have received a mailing with a letter requesting you to register to vote. What?! Two hundred?! For those of you who received the mailing please fill the forms out and get them in the mail. The postage to send is free! If you just don’t want to use the ink you can always register on line right from our website [www.ibewlocal551.org](http://www.ibewlocal551.org) Click on the button top left. And yet another cool website is [www.ibewvotes.com](http://www.ibewvotes.com) We are so much stronger when we vote!

Our brand new very catchy and bright Sound and Communications Agreements are here! We have a stack here at the hall for the taking. If you’d like me to drop some by the job site give me a call, we deliver, within the jurisdiction of course. 707-542-3505

It’s Sonoma County Fair time! We have a booth as we do every year with the Building Trades. If you would like to do a 2 hour shift and let people know how awesome we are we have a sign in sheet here at the hall. IBEW days are July 24th and 25th. We have opening day! Taking a shift gets you 2 free tickets and a parking pass for the whole day. Hurry they may go fast!

I am trying to get out to as many jobsites as I can, taking photographs and passing out the swag. I hope to catch you soon and hopefully catch you at a union meeting or two.

Work safe out there brothers and sisters! See you soon.
Discover the Benefits of the National Electrical 401 (k) Plan

We have arranged for Prudential to attend our next union meeting to give a presentation and answer your questions.

- Date: Thursday, August 13, 2015
- Time: 6:00 PM – 8:00 PM
- Place: JATC Training Center
  1726 Corby Ave
  Santa Rosa

Please RSVP if you plan to attend so we can plan accordingly.
Call the hall at 707-542-3505 or email at ibew551@ibewlocal551.org