February 4, 2019

INDUSTRY NEWS

AGC Provides Guidance and Compliance Documents for Contractors as Enforcement of Skilled and Trained Workforce Requirements Gets Underway

Brad Barnum, Executive Vice President

It's crunch time for public works contractors and certain public agencies as it relates to "skilled and trained workforce" requirements. Since January 1, the California Labor Commissioner can enforce the requirement for contractors and subcontractors on certain projects to have a percentage of their journeymen be graduates of a state or federal-approved apprenticeship program. Click here for the specific delivery methods, affected agencies, percentage requirements, and apprenticeable trades.

It should be noted that although these skilled and trained workforce requirements are legislatively mandated for various delivery methods or public owners, any public agency can choose to implement these requirements on any project.

To better understand the new requirements and implications for non-compliance, AGC held a December workshop with DIR's Division of Labor Standards Enforcement, and a January workshop with Chad Wishchuk of Finch, Thornton & Baird, LLP. The second workshop focused on the actual definition of a "skilled and trained" workforce, contractual requirements, best practices for compliance, and how to
protect against mandatory payment withholdings, monetary penalties, or debarment from public works. Click here for the presentation.

Of particular importance to contractors and public agencies are the reporting documents, which provide information on the entire workforce on a specific project ("skilled"), as well as the percentage of apprenticeship graduates ("trained"). While the project is being performed, these documents must be completed monthly by the prime contractor and all sub-tier contractors, and provided to the awarding body.

Here are the specific reporting documents that we believe should help demonstrate that the prime contractor and its contractors have a "skilled and trained" workforce:

- Subcontractor Affidavit of Compliance
- Monthly Report (includes workforce and apprenticeship graduate documentation)

The importance of completing these reporting documents is clear, because without them (or a contractor plan to achieve compliance), the awarding bodies will be obligated to withhold further payments, or withhold 150% of the value of the monthly billing. If the Monthly Report does not demonstrate compliance, the awarding body will forward it to the Labor Commissioner's Office, where significant financial penalties or debarment await non-compliant contractors.

AGC is a strong advocate for a skilled and trained workforce, and we hope contractors utilize this guidance to achieve compliance. A consistent approach will allow our local public agencies to effectively monitor and enforce.

If you have any questions about the skilled and trained workforce requirements, please contact:

Brad Barnum, AGC Executive Vice President, (858) 731-8158
Pete Saucedo, AGC Apprenticeship Executive Director, (858) 558-0739
Chad T. Wishchuk, ESQ, of Finch, Thornton & Baird, LLP, (858) 737-3100
UPCOMING EVENT

AGC Affiliate Mixer - Thursday, March 14, 2019

The AGC Affiliate Council is pleased to welcome members to the first mixer of the year. Join us on March 14, at Tom Ham’s Lighthouse on Harbor Island. This is a great location with fantastic views of the downtown San Diego skyline, and plenty of free parking!

We encourage our member firms to stay connected, and invite their PM's, PE's, estimating staff, scheduling staff, etc., and anyone else in their firm that would benefit from socializing with others in the industry.

This is a member only function!

Join the generous sponsors listed below, to ensure all AGC members are invited to attend at no charge.

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Acme Safety & Supply Corp.
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Trench Plate Rental Company

To attend the mixer, pre-registration is required. Please click here to Register!

We are looking for more sponsors!! Please click here for a sponsor form.

The Mixer event will have an EXPO type atmosphere with sponsors receiving a table to display promotional materials, etc...

- You can display product samples, promotional materials, etc.
• Your company name will be prominently displayed on a banner in the room
• Platinum level sponsors will be given choice placement by the entrance and bar areas.
• All sponsors will have the opportunity to incorporate their company logos into a running visual presentation slideshow on all the TV screens in the room.
• Gold sponsors receive additional "screen time" for their logos and Platinum sponsors receive "FULL SCREEN" ads.

Contact Rae Krushensky with any questions.

COMMITTEE MEETINGS

Meetings are held at the AGC office (6212 Ferris Square, San Diego, CA 92121) unless otherwise noted in red.

February Meetings

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Get involved in the AGC by serving on one or more AGC committees. This is a great way to network with fellow AGC members, and to have a voice in the industry!
February Classes

Feb 4-8   EM 385 40-Hour with OSHA 30-Hour
Feb 5     Construction Project Management
Feb 6     Blueprint Reading for Construction
Feb 7     Flagger 4 Hour Construction Training
Feb 11-12 OSHA 10 Hour
Feb 13    Blueprint Reading
Feb 13-14 CQM
Feb 13    Fall Protection 8-Hour CPT
Feb 13    Intermediate Microsoft Excel (Offsite)
Feb 15    Advanced Microsoft Powerpoint 2016 (Offsite)
Feb 19    Construction Project Management
Feb 19-21 Fall Protection 24-Hour Competent Person
Feb 20    Construction BMP Training
Feb 21    Advanced Microsoft Excel (Offsite)
Feb 21    Construction Law: Public Works Bid Law 101
Feb 21    OSHA Recordkeeping
Feb 25    Fall Protection 8-Hour
Feb 26    Microsoft Project Workshop
Feb 27    CPR, First Aid & AED Training
Feb 27    Prevailing Wage Certified Payroll

For more information on classes, contact: Becca Schaffer at (858) 731-8155.

January - June 2019  
Register Online

Interested in advertising in AGC’s "Good Faith Report"? Contact: Lisa Lovelace  
Director of Plan Room Services

2019 MEMBERSHIP LISTINGS  
Online Form
Please notify AGC if your company has relocated, or if there are any updates to your company's listing i.e. contacts, phone/fax, job titles, CSI codes, & certified business listings).

Email Marcy Knopman

**DIRECTIONS**
6212 Ferris Square
San Diego, CA 92121
(858) 558-7444

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**About Monday Morning Quarterback**
AGC San Diego Chapter's Monday Morning Quarterback is a "hot off the press" and to the point Monday morning briefing on the important issues facing San Diego's construction industry. It is prepared by AGC Chief Executive Officer, Eddie Sprecco, and Executive Vice President, Brad Barnum.

Please contact Eddie Sprecco or Brad Barnum with your comments, or with information that should be conveyed to the industry through this service. Well over 3,000 individuals employed by AGC member firms are part of this system.

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**ARCHIVE**

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