



**Lynne Plambeck AB1234 Report**  
**WHITTAKER-BERMITE REMEDIATION PROJECT**  
**MULTI-JURISDICTIONAL TASK FORCE MEETING**  
**Wednesday, Nov 13, 2019, 3:30 PM**  
**Santa Clarita City Hall, 1<sup>st</sup> Floor, Century Room**

In Attendance:, Laurene Weste, Tom Cole, Hassan Amini, Eric Laudiere, Matthew Stone, Steve Cole, City Staff, 25<sup>th</sup> Congressional and 38<sup>th</sup> Assembly Dist. Staff, several members of the public, etc. Jose Diaz was on vacation and Bob Kellor was absent

**Report**

Hassan Amini stated that the two completion reports required by DTSC for closure of the soil clean up are expected to be completed by Whittiker around the end of January. DTSC must then approve them. (Diaz stated in the previous meeting that this should be finished by the end of the summer). There is some flexibility with restricted uses. Ground water cleanup is still estimated to take at least another 30 years.

Hassan described some metal pieces found in the Hulu bowl site and said they were buried and burned just to ensure they were not unexploded ordinances.

Hassan also answered questions about where the water from the Soledad Barrier wells was being emptied into the river – 13 million gallons a month, 240 million annually. He said that the depth to water in the aquifer was 60 feet.

John Lesserman described the status of the closed wells, Q2 and 201 and mentioned the Magic Mountain replacement wells to make up lost capacity. A member of the public (Bonnelli) asked about clean up of VOCs under the Saugus Speedway. Eric Laudiere replied that they thought the speedway was responsible for those VOCs. There were also questions about PFAS and PFOA unrelated to Whittiker.

Next Meeting – March 11<sup>th</sup>.

## DIRECTOR AB 1234 REPORT

Director Name:                     Maria Gutzeit                    

Meeting Attended:           LMCC Labor Compliance Conference          

Date of Meeting:                     11/14/19                    

Board Meeting to Be Presented At:           11/19/19          

Points of Interest:           This was a very interesting conference with many excellent and engaging speakers. I learned new information about the obligations for public agencies on prevailing wage and the many other additional requirements that apply to us. Speakers from the State, City of LA and Orange County had very good stories about the underground economy and how, even though public agencies and taxpayers pay the higher wages, sometimes, through various schemes, workers are shorted money and/or benefits that we think are paid. Legal contractors also cannot compete with those not playing by the rules. Auditing is important and should be more than cursory.          

          I felt there were excellent topics covered (and great speakers) that would be worth others hearing at ACWA, for example. Also, the compliance officers mentioned there are routine quarterly meetings that might be of interest to our staff handling this issue. Contact for that is Chris Jenson, Labor Compliance, City of LA, [chris.jenson@lacity.org](mailto:chris.jenson@lacity.org) or 213-847-2662



# First Annual **LABOR COMPLIANCE CONFERENCE**

**Thursday, November 14, 2019**

<b>7:00 - 8:00 AM</b>	<b>REGISTRATION &amp; BREAKFAST</b>
<b>8:00 - 8:10 AM</b>	<b>ANDRES POSADA</b> Introductory Remarks
<b>8:10 - 8:40 AM</b>	<b>KEN LAU</b> Director's Coverage Determinations / PW Applicability / Exceptions
<b>8:40 - 9:10 AM</b>	<b>ERIC ROOD</b> Apprenticeship Standards / Skilled & Trained Workforce
<b>9:10 - 9:40 AM</b>	<b>DAVID FOGT</b> CSLB Public Works Update & Enforcement Strategies
<b>9:40 - 9:50 AM</b>	<b>BREAK</b>
<b>9:50 - 10:20 AM</b>	<b>CHRIS JENSON</b> Payroll / Obligations / Responsibilities
<b>10:20 - 10:50 AM</b>	<b>DEISY DVORACK</b> Enforcement / DLSE
<b>10:50 - 11:20 AM</b>	<b>DONDE MCCAMENT</b> Contractor Prosecution
<b>11:20 - 11:50 AM</b>	<b>MICHAEL ODOCA</b> Skilled & Trained Workforce Requirements
<b>12:00 - 1:00 PM</b>	<b>LUNCH</b>
<b>1:00 - 1:30 PM</b>	<b>VERONICA SOTO</b> Workforce Manger: Tracking Local Worker Training, Placement & Wages
<b>1:30 - 2:00 PM</b>	<b>MARK HOVATTER</b> Compliance on Public Works Projects
<b>2:00 - 2:30 PM</b>	<b>TYBOUY TANG WONG &amp; ELVIS TRAN</b> Compliance with PLAs / PSAs
<b>2:30 - 3:00 PM</b>	<b>RON MILLER</b> Building Trades / Compliance
<b>3:00 - 3:30 PM</b>	<b>Q &amp; A SESSION - Panel of Experts</b>

California state law requires contractors on public-works projects over \$1,000 to pay the prevailing wages and benefits to all workers as set by the California Department of Industrial Relations. Make sure you are in compliance with the law by completing the following steps:

- Registering as a public works contractor with the California Department of Industrial Relations before bidding on public works projects.

- Make sure to submit and maintain certified payroll records for all workers to the DIR eCPR system Check online for exemptions.

[https://www.dir.ca.gov/PublicWorks/eCPR\\_exemptions.html](https://www.dir.ca.gov/PublicWorks/eCPR_exemptions.html)

- Check your bid and contract documents to make sure the correct prevailing wage rates for each craft or trade working on the project are correct.



- Properly pay overtime to employees for work done in excess of eight hours per day or 40 hours per week.

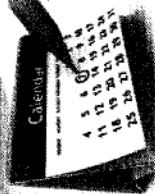
- Provide the DAS140 to all the applicable Joint Apprenticeship Training Committees. Contract award information must be sent within 10 days of the signing of the contract or subcontract, or by the first day of work, whichever occurs first. Contractors who submit the DAS 140 outside this timeframe are considered out of compliance and may be subject to penalties.

- Make sure to follow the proper apprenticeship ratio, check <https://www.dir.ca.gov/das/publicworksfaq.htm#frp>

- Provide the DAS142 for dispatch of an apprentice at least 72 hours in advance excluding weekends and Holidays.

- Make sure to follow all the apprenticeship requirements according to the Department of Industrial Relations.

- Respond promptly to all requests for certified payroll records



## FEDERAL PREVAILING WAGE

The Davis-Bacon Act, enacted in 1931, requires contractors to pay the local prevailing wage on most federally funded construction projects. The wage rates are set by the U.S. Department of Labor.

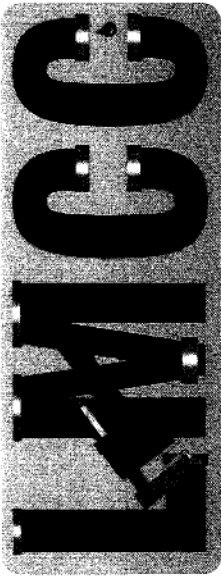
Companies awarded a federally funded construction project must:

- Make sure all contractors and sub-contractors comply with Davis-Bacon requirements.
- Pay prevailing wages to all workers.
- Accurately classify workers according to the work they perform.
- Submit copies of certified payroll records to contracting agencies weekly.
- Attach a "Statement of Compliance" to each certified payroll record submitted.

Davis-Bacon violations can result in:

- Termination of contract.
- Liability for back wages and fringe benefits.
- Debarment from bidding on future federally funded construction projects for up to three years.
- Liability for any resulting costs to the government.





**Labor Management Compliance Council (LMCC) strives to maintain an equal playing field for all construction projects subject to prevailing wage laws in Southern California as well as ensuring that all workers are receiving the correct pay for the work performed. Although LMCC reports non-compliant contractors to the proper enforcing agencies, the Council believes on educating contractors and public agencies on how important it is to abide by the State and Federal laws.**

**Labor Management Compliance Council**  
 501 Shatto Place, Suite #260  
 Los Angeles, CA 90020  
 213-385-LMCC (5622)  
[www.socallmcc.org](http://www.socallmcc.org)

- Public Works Contractor (PWC) Registration Search <https://efiling.dir.ca.gov/PWCR/Search>
- Labor Commissioner's Office <https://www.dir.ca.gov/dlse/dlse.html>
- Division of Apprentices Standards <https://www.dir.ca.gov/das/das.html>
- US – Department of Labor Wage and Hour Division <https://www.dol.gov/whd/>
- Wage Determinations Online <https://www.wdol.gov/>
- Prevailing Wage Determination <https://www.dir.ca.gov/OPRL/DPreWageDetermination.htm>
- Contractors State License Board - CSLB <https://www2.cslb.ca.gov/onlineservices/checklicensell/checklicense.aspx>
- Public Works Payroll Reporting Form (A-131) (CPR) <https://www.dir.ca.gov/dlse/Forms/PW/DLSEFormA-1-131.pdf>
- CA Code of Regulations §16100. Duties, Responsibilities and Rights <https://www.dir.ca.gov/t8/16100.html>
- Labor Commissioner Regional Offices <https://www.dir.ca.gov/dlse/DistrictOffices.htm>
- 2015-2016 Fiscal Year Report on the Effectiveness of the Bureau of Field Enforcement [https://www.dir.ca.gov/dlse/BOFE\\_LegReport2016.pdf](https://www.dir.ca.gov/dlse/BOFE_LegReport2016.pdf)
- DLSE Debarment <https://www.dir.ca.gov/dlse/debar.html>
- DOL- WHD Back wages collected <https://www.dol.gov/whd/data/>
- CSLB Advertisement Requirements <http://www.cslb.ca.gov/Resources/GuidesAndPublications/BuildingYourCareerAsContractor.pdf>

**VIOLATIONS OF CALIFORNIA'S PREVAILING WAGE LAW CAN BE COSTLY!**

- ✓ Fines of up to \$200 per day, per worker paid less than the applicable prevailing wage rate.
- ✓ Liability for back wages.
- ✓ Debarment from bidding on future public works contracts for up to three years.



[www.socallmcc.org](http://www.socallmcc.org)