

GOVERNMENT AFFAIRS WATCHDOG

PIC VICTORY ON UV CLEANUP SOLVENT

Over the past two months, PIC has met with the SCAQMD numerous times to convince them to extend the current limits for UV/EB cleanup solvent for one more year, until January 1, 2009.

And the good news is that they finally agreed to do so last Wednesday. This is a big victory, since the SCAQMD very seldom changes proposed rules. The extension gives UV/EB cleanup solvent formulators an additional year to identify effective cleanup solvents for this printing system.

Please note there is no extension of the current VOC limits for cleaning solvents for printers using conventional ink systems.

Accordingly,

- On January 1, 2008, conventional ink systems must use roller and blanket wash (as well metering roller, dampening roller, and printing plate cleaners) less than 100 grams per liter VOC.
- Between now and January 1, 2009, hand-wipe and automatic UV/EB ink systems can use roller and blanket (as well as metering roller, dampening roller and printing plate cleaners) of up to 650 grams per liter VOC.

Contact Gerry Bonetto at Ext. 248 if you have any questions.

COMPLIANCE POSTERS

PIC has the 2008 Mandatory Workplace Posters for sale. To be in compliance with federal and

HEALTH CARE VOTE CANCELLED

Early in November, Assembly Speaker Fabian Nuñez (D-Los Angeles) announced that the Assembly would vote on a healthcare reform proposal on November 26th. With no final agreement between the Governor and lawmakers, the vote was canceled. The Speaker then scheduled votes for December 5th and 6th for a healthcare overhaul. They have now been canceled as well.

Lawmakers and staff are being told to be available to return to the Capitol within 24 hours at the "call of the Speaker" for when he sets a new date.

The Speaker's Communications Director, Steve Maviglio, said the Assembly delayed the votes to continue negotiations on a compromise. "We needed additional time to draft language and shop it around," he said.

"We realize we are pushing the envelope (to still qualify for the ballot). But we'd rather get it done right than fast."

state laws, California businesses must display these posters by January 1, 2008, where all employees can see them.

Every year, it seems, the state amends the language in various notices, and so forcing employers to get new posters. This year is no exception, and thus last year's posters do not meet 2008 state and federal requirements. Among the changes, are the federal and state minimum wage increases, unemployment insurance benefits, and harassment and discrimination in employment.

The all-in-one poster contains 19 California and federal notices that every California business must post. Because of its length, industry specific wages appear on a second poster. The posters (23" x 39") are attorney approved and laminated on both sides and printed in full color.

The set is available to PIC members for

\$49.80—which includes packaging and postage. If you check around, you'll see PIC's price is well below retail price.

Some companies may be required to post additional notices depending on their operation, such as forklift safety rules, fire extinguishers, and bloodborne pathogens; also available through PIC.

To order the posters online go to www.piasc.org and click on Government Relations. You'll have to install the Formatta Filler software (on the right). This only takes a minute or two. Then you can open the Labor Law Poster Form to order the posters you need, or you can call Maribel Espinoza at (323) 728-9500, Ext. 210.

With your order, we will include the PIC poster on Management Practices for Reusable Shop Towels FREE!



**Affiliated
Associations:**

Printing Industries of California

Printing Industries of Northern California www.pinc.org

Printing Industries Assn. of Southern California www.piasc.org

Printing Industries Assn. of San Diego, Inc. www.piasd.org

(323) 728-9500

(415) 495-8242

(323) 728-9500

(858) 571-6555

FORKLIFT POSTING

Every employer using pallet jacks, forklifts, or other types of industrial trucks must post and enforce a set of operating rules including the appropriate rules listed below:

- Only drivers authorized by the employer and trained in the safe operations of industrial trucks or industrial tow tractors shall be permitted to operate such vehicles. Methods shall be devised to train operators in safe operation of powered industrial trucks.
- Stunt driving and horseplay are prohibited.
- No riders shall be permitted on vehicles unless provided with adequate riding facilities.
- Employees shall not ride on the forks of lift trucks.
- Employees shall not place any part of their bodies outside the running lines of an industrial truck or between mast uprights or other parts of the truck where shear or crushing hazards exist.
- Employees shall not be allowed to stand, pass, or work under the elevated portion of any industrial truck, loaded or empty, unless it is effectively blocked to prevent it from falling.
- Drivers shall check the vehicle at least once per shift, and if it is found to be unsafe, the matter shall be reported immediately to a foreman or mechanic.

You can either write and post the language yourself or order attorney-approved posters from PIC, available in ENGLISH and SPANISH, which add visual reinforcement to your safety training programs.

See the article "Compliance Posters" on page 1 for instructions on how to order this—and other—safety posters.

SALES TO INDIAN RESERVATIONS

Sales and Use Tax Regulation 1616 requires that possession and title (ownership) of tangible personal property, such as printing, must pass to the Indian purchaser on a reservation in order for the sale to be exempt from tax.

When delivery of the property is by the seller, title passes when the property is delivered to the purchaser at the

MINIMUM WAGE INCREASE—JANUARY 1, 2008

In accordance with a 2006 legislative enactment, effective January 1, 2008, the California minimum wage will increase by \$0.50, from \$7.50 per hour to \$8.00 per hour. This increase will have broad ranging effects on companies with employees in California.

Although California's minimum wage is higher than the Federal standard of \$5.85 (\$6.55/hr beginning 7/24/08, \$7.25/hr beginning 7/24/2009), California employers are required to post both the state and federal wage.

Companies that employ minimum-wage workers in California will need to plan for the increased wage costs, including the resulting increase in overtime wage rates. Unlike the Fair Labor Standards Act (FLSA), California's definition of "overtime" includes time worked in excess of eight (8) hours in one workday, as well as time worked in excess of forty (40) hours in one workweek.

In general, California requires payment of overtime at no less than one and one-half times the minimum wage. In certain circumstances, however, overtime must be paid at no less than two times the minimum wage.

Just as under the FLSA, California law generally requires that a position meet the following two tests in order to be exempt from the minimum wage and overtime requirements of the California Labor Code and corresponding Wage Orders: (1) a compensation test, and (2) a duties test.

The compensation test for the California "white collar" exemptions requires that the position pay a salary—a recurring amount not subject to reduction or offset based on the quantity or quality of work performed—that is at least two times the California minimum wage. This means that, effective January 1, 2008, positions intended to be exempt under California's executive, administrative, or professional exemption must pay a salary of at least \$640 per week, which is equivalent to \$2,773.33 per month or \$33,280 per year.

Positions intended to be exempt under California's "inside commissioned sales" exemption must satisfy a different compensation test. Those positions need to generate total compensation for the employee of at least one and one-half times the minimum wage for each hour worked, of which more than 50% must represent commissions.

This means that, effective January 1, 2008, positions intended to meet this California exemption will need to result in total compensation of at least \$480 per week for an employee who actually works 40 hours each week (\$2,080 per month or \$24,960 per year), with more than 50% of that amount being paid to the employee as commission earnings.

For a discussion of the "duties test" for exempt employees, go to www.piasc.org and click on Human Resources. You'll find the discussion under the Wage Order Determination drop down menu.

destination of delivery. If the delivery is not on the reservation, the delivery by the seller is taxable.

When delivery to an Indian purchaser is by contract carrier or common carrier, the following conditions must be met in order for title and possession to pass to the Indian purchaser on the reservation:

The contract of sale (or equivalent

document) must expressly contain an F.O.B. reservation clause or equivalent provision; (2) title cannot have been passed to the purchaser prior to delivery on the reservation; and (3) the goods must in fact be delivered to the Indian purchaser on the reservation as specified in the contract of sale. If these three conditions are met, the sale is exempt from sales tax.