

GOVERNMENT AFFAIRS

WATCHDOG

FEDERAL MINIMUM WAGE

On May 25, President Bush signed a war spending bill that includes an increase in the federal minimum wage. The rate will go up to from the current \$5.15 per hour to \$5.85, beginning July 24, 2007; \$6.50 per hour, beginning July 24, 2008; and \$7.25 per hour beginning on July 24, 2009.

Although California's minimum wage will be higher than the federal minimum wage throughout this period, all California employers must post both the federal and state minimum wage posters.

While there is no citation or penalty for failure to post the federal minimum wage poster, PIC has made a copy of the poster available for download on our website, as the U.S. Department of Labor has just make the official language available.

Go to either piasd.org or piasc.org and click on Gov't Affairs or Gov't Relations, respectively. From there, click on Federal Minimum Wage Posters. There are two versions of the poster: one in color, the other in black and white.

SALES FOR RESALE

Unsupported sales for resale are a consistent problem area in audits, according to the State Board of Equalization. As a retailer, you are responsible for supporting any sale you claim as a nontaxable resale.

Without proper documentation, you can be held responsible for tax on a sale you thought was nontaxable. To avoid this problem, make sure your customer

THE ENVIRONMENTAL GOVERNOR

Gov. Arnold Schwarzenegger fired Robert Sawyer, Chairman of the California Air Resources Board (ARB). The governor appointed Sawyer, a professor emeritus in air quality science at UC Berkeley, in 2005. Sawyer, who had been one of the governor's closest allies in the campaign to curb global warming, departs as board chairman after 18 months on the job. Three day later Catherine Witherspoon, ARB's executive officer, resigned stating: "This Administration has lost its way on air quality and I no longer want to be a part of it."

The resignations came within days after the Sawyer-led air board asked the federal government for an 11-year delay for tougher air quality standards in the San Joaquin Valley. At the time, Schwarzenegger released a statement, saying he was "deeply disappointed" and charging that the air board "let the federal government off the hook by seeking the delay."

Sawyer responded that he was fired largely because he wouldn't yield to pressure by the governor's office to dismiss the board's executive officer, Catherine Witherspoon, because of her wanting to aggressively implement the state's global warming policy.

In an interview published Saturday in the *Los Angeles Times*, Witherspoon added fuel to the fire by accusing the governor's office of "extraordinary and unprecedented micromanagement" in implementing the global warming program.

San Joaquin Valley officials hope to educate the governor's staff on the complexities of reducing smog in the bowl-shaped Valley. They will also push for state bond money to replace pollution-spewing trucks and lobby for tougher regulations on vehicle emissions—pollution fighting measures that are out of the district's control.

On another front, the Governor appointed an environmental community activist to the South Coast Air Quality Management Board over recommendations of business groups throughout the basin.

None of these actions bodes well for business, especially printers who are facing a stiff reduction in VOC emissions in cleanup solvents on January 1, 2008.

gives you a timely, valid resale certificate certifying that the purchase is for resale. You also want to make sure that your records show that the sale was made to the same customer as on the resale certificate.

As a seller, you should note the general nature of your customer's business. If the nature of the business is such that the property purchased would not normally be resold, you should question the use of the certificate.



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OSP ACTIVITY

There has been a continued attempt by the Office of State Printing (OSP) over the past decade to mandate that all state agencies print with the Office of State Publishing. After all, that's what the California Constitution says.

Governor Wilson eliminated the mandated control that the OSP had over print-procurement by state agencies. The basis of Governor Wilson's decision was, in part, a comparison of quotations on jobs for state agencies by the OSP and commercial printers over a several year period.

In November of last year, Service Employees International Union 1000 sued to steer state printing (and print-procurement) back to OSP. The motivation behind the suit was to protect OSP jobs—at the expense of around \$15 million of government work that is now being done by the private sector.

The court found that the section of law that allowed for the privatization of state printing poses a conflict with the State civil service mandate, whereby if a job can be performed by a civil service employee, the job cannot be vended out to the private sector.

A new adage applies here: If you can't compete, you mandate. And when you need to save jobs, the public sector comes before the private sector.

CLEANUP SOLVENT SAGA CONTINUES

We continue to test new, low-VOC roller and blanket washes. So far, at least half a dozen solvents below 100 grams per liter are in the testing phase—and three are currently being used in production. While the tests are short-term (three months at the most), the results seem encouraging.

On June 19, 2007, we met all day with the Deputy Executive Director and other senior staff of the SCAQMD and had a half-hour conversation with each of ten solvent manufacturers on their ability to meet the January 1, 2008, limit of less than 100 grams per liter. Most manufac-

EMPLOYEE FREE CHOICE ACT

Heat illness results from a combination of factors—for example, environmental temperature and humidity, direct radiant heat from the sun or other sources, air speed, and workload. Personal factors, such as age, weight, level of fitness, medical condition, use of medications and alcohol, and acclimatization affect how well the body deals with excess heat.

Here are some guidelines to prevent heat illness.

1. Recognize the Hazard.

There is no absolute cut-off below which work in heat is not a risk. With heavy work at high relative humidity or if workers are wearing protective clothing, even work at 70°F can present a risk. In the relative humidity levels often found in hot areas of California (20 to 40 percent) employers need to take some actions to effectively reduce heat illness risk when temperatures approach 80°F. At temperatures above 90°F, especially with heavy work, heat risk reduction needs to be a major concern.

2. Water.

Employees who are working in the heat need to drink 4 eight-ounce glasses of water per hour, including at the start of the shift, in order to replace the water lost to sweat. For an eight-hour day this means employers must provide two or more gallons per person. Many people can be very dehydrated and not feel thirsty at all. Avoid soda, alcohol and coffee.

3. Shade and Rest Breaks.

Heat illness occurs due to a combination of environmental and internal heat that cannot be adequately dissipated. Rest breaks are important to provide time for cooling and provide an opportunity to drink water. Breaks should be taken in cooler, shaded areas. Wide brimmed hats can also decrease the impact of direct heat.

4. Acclimatization.

People need time for their bodies to adjust to working in heat. This "acclimatization" is particularly important for employees (1) returning to work after a prolonged absence or recent illness, (2) recently moving from a cool to a hot climate, or (3) working during the beginning stages of a heat wave.

5. Prompt Medical Attention.

Recognizing the symptoms of heat illness and providing an effective response requires promptly acting on early warning signs. Common early symptoms and signs of heat illness include headache, muscle cramps, and unusual fatigue.

turers indicated that they had or would have a roller and blanket wash, tested and in production, that meets the limit by October 2007.

Given this information, and the fact that dozens of printers are using low-VOC solvents, it will be difficult (perhaps impossible) to extend the current limits beyond 2007.

STATEWIDE HEALTHCARE

Over the past year, readers have heard a lot about the possible adoption of a healthcare pro-

gram that would cover all California residents.

There are several proposals in the legislature (AB 8, SB 48, SB 236, SB 840, the governor's plan). What are the chances that any will be passed and signed by the governor?

The chances are less than 50-50, not only because of the complexities of the issue itself, but because there are legal impediments that the legislature has not yet raised, such as a two-thirds vote on new taxes and conflicts with federal ERISA.

