

GOVERNMENT AFFAIRS

WATCHDOG

SCAQMD: FACTS AND FANCIES

Every lithographic printer located in the South Coast Air Quality Management District (SCAQMD) should now be aware that VOC standard for lithographic roller wash, blanket wash, and metering roller cleaner will change on January 1, 2008. The new standard is less than 100 grams per liter for each operation.

This change has been in the works for years. Rule 1171 was amended in 1999 to implement this standard in 2001. PIC achieved an extension until 2003, a second extension until 2005, and a third extension until 2008. Time has now run out, and no further extensions will be granted.

The SCAQMD has told us that the 100 gram per liter limit is nonnegotiable, since SCAQMD staff has identified various formulations below the 100 gram per liter limit that clean rollers and blankets. Moreover, staff has been advised that the district's executive board will not entertain a further delay, given the technical assessment that staff has provided it.

Here is a further dilemma. Many printers are using (or testing) low-VOC solvents and with some success. And each week more are trying alternative formulations. This makes it impossible to refute the SCAQMD contention that there are no low-VOC solvents that work.

Finally, it puts printers who have not looked into such solvents in a precarious position—a pending standard of lower VOC solvents, but with no experience or identification of alternative solvents.

FLEXIBLE WORK HOURS

PIC has once again urged the State Division of Labor Standards Enforcement (DLSE), in written comments, to revise how it interprets and enforces meal and rest period requirements to allow for maximum flexibility that benefits both employers and employees.

Our comments responded to two public hearings in early August that the state labor commissioner held on the issue. We focused on how the recent changes to meal and rest period enforcement practices required by legislation and recent court decisions have impacted the daily lives of our employees.

An April ruling by the California Supreme Court in *Murphy v. Kenneth Cole Productions, Inc.* said the amount an employer pays a worker for failing to provide the worker a meal break is a wage, not a penalty.

The impact of the case is enormous due to the number of pending lawsuits in California on the issue. Employees now have more time (three years) to sue over an alleged violation of the requirement that employers provide a meal or rest break.

PIC urged the DLSE to revise its interpretation and enforcement policies regarding an employer's duty to provide employees with rest and meal periods to make it clear that:

- Where an employer has provided an employee with an opportunity to take a rest or meal period, the employee, with the employer's permission, may choose to forgo all or part of the provided rest and meal period and/or to stop working and rest or have a meal period at some other time.
- On-duty meal periods are allowed in more situations than under the DLSE's current interpretation and policy, recognizing the realities of various workplaces.

These printers should not be waiting to see what happens, because whatever limit the SCAQMD decides upon, it is going to be considerably lower than the current limit.

Here are the standards that are scheduled to change on January 1, 2008.

(1) The VOC content of lithographic roller and blanket wash must be less than 100 grams per liter. This applies to:

- all lithographic presses (sheetfed & web),
- conventional or UV/EB inks, and
- automatic or hand wipe wash-up systems.

(2) The VOC content solvent for cleaning of metering rollers, dampening rollers, and printing plates must be less than 100 grams per liter.

(3) The VOC content for cleaning UV lamps must be less than 100 grams per liter.

We are still trying to negotiate an extension until January 1, 2009, at the current limits for UV ink operations. A decision has to be made within the next two weeks; we'll let printers know as soon as we know.



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

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HELP US HELP YOU

You may have already received a letter from your association encouraging you to support our governmental affairs effort with a voluntary contribution to PrintPAC of California.

We're sure that our past successes have contributed directly to your bottom line—such as lower workers' compensation premium rates.

At some time or another, your company will come face to face with legislation or regulation that will harm your business. It's our job to see that it doesn't. To do this, however, requires us to cultivate contacts among elected officials. The most effective way to do this is through campaign contributions. These contributions ensure that we get to know and have open access to key legislators; access that allows us to state our case on any particular issue.

It will take the commitment of every association member to help meet the legislative and regulatory challenges that will confront the printing industry in the future.

Please join with your fellow association members to help protect California's strong and vibrant printing industry.

RECYCLED PAPER

The American Forest & Paper Association (AF&PA) recently announced that a record 53.4 percent of the paper consumed in the U.S. (53.5 million tons) was recovered for recycling in 2006. This is the second year in a row that the paper recovery rate has increased.

The 53.5 million tons represents an increase in recovery of 83.7 percent since 1990, when the paper industry undertook its first serious commitment to advance recycling in the United States, according to AF&PA. Currently, Americans recover nearly 360 pounds of paper a year for every person in the United States, up from 233 pounds per person in 1990.

This impressive accomplishment was made possible by the efforts of millions of Americans who recycle at home, work

NEW IMMIGRATION RULES

Employers across the country may have to fire workers with questionable Social Security numbers to avoid getting snagged in a Bush administration crackdown on illegal immigrants.

The Department of Homeland Security is expected to make public soon new rules for employers notified when a worker's name or Social Security number is flagged by the Social Security Administration.

The rule, as drafted, requires employers to fire people who can't be verified as a legal worker and can't resolve within 60 days why the name or Social Security number on their W-2 doesn't match the government's database.

Employers who don't comply could face fines of \$250 to \$10,000 per illegal worker and incident.

In the past, the Social Security Administration has sent "no match" letters to workers and their employers notifying them of the information discrepancies, to make sure money withheld from a person's paycheck is credited to the correct worker. The letters are not shared with other government agencies because of privacy laws.

Although employers are prohibited from hiring illegal workers, their responsibilities with the letters have generally ended with notifying the workers of the discrepancies and leaving it to them to deal with it.

The Department of Homeland Security says the new rule provides guidance to employers on how to deal with workers who receive no-match letters and what to do—fire them—if the issue is not resolved in 60 days and they can't verify their workers are legal. Employers who comply will be immune from penalties if illegal workers are found at their business in an investigation or raid.

But those who don't comply with the new rule could be deemed as knowingly hiring an illegal worker.

and at school every day, including the fact that 86 percent of the U.S. population, or about 258 million people, have access to curbside or drop-off recycling programs according to a 2005 AF&PA Community Survey.

In order to keep up with global demand for recovered fiber, the industry has set a goal of 55 percent recovery by 2012.

AF&PA continues to raise awareness of the need for increased recovery through partnership programs, youth outreach, and a variety of resources and materials available on www.paperrecycles.org.

VIDEO ON TAX APPEAL HEARING

When you request that your appeal of a tax or fee billing be heard by the Board members,

the process can be confusing. The Taxpayers' Rights Advocate, along with our other departments, has developed a new video to help you prepare for your hearing.

When you receive your notice of hearing and written instructions you will also receive the video, *Your Appeal Hearing before the Board Members*.

The video will make the hearing process less intimidating by showing the forms you will be asked to complete, explaining how to submit materials and how to ask for help, and by showing scenes of actual Board hearings.

The video is now provided to all appellants on a compact disc (or on a videotape upon request) and will soon be available for viewing on the Board's website.