

GOVERNMENT AFFAIRS WATCHDOG

COMPLIANCE POSTERS

PIC is offering the 2008 mandatory workplace posters for sale to member companies. As you know, California businesses must display these posters by January 1, 2008, where all employees can see them to be in compliance with federal and state laws.

Every year, it seems, the state amends the language in various notices, thus forcing employers to get new posters. This year is no exception, and thus last year's posters no longer 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.

Interestingly, attorneys are soliciting employees to identify employers who do not post current labor law requirements. Don't jeopardize your company by not having current required postings.

The all-in-one poster contains 19 California and federal notices that businesses must post. Because of their length, specific wage orders appear on a second poster. The posters (23" x 39") are attorney approved, laminated 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 will see the price is well below the retail price elsewhere.

Some companies may be required to post additional notices depending on their operation. For example, if you have a forklift, you are required to post the

MILITARY SPOUSE TIME OFF

At the end of the last legislative session, Governor Schwarzenegger signed AB 392, which creates a new leave of absence right for spouses of military personnel while those personnel are on leave from deployment.

Employers with 25 or more employees must allow eligible employees to take up to 10 days of unpaid time off from work each time their spouse is on leave from deployment during a period of military conflict.

To be eligible for the leave, an employee must meet the following requirements:

- The employee's spouse is an armed forces member deployed to a combat zone or a National Guard or Reserves member deployed during a military conflict;
- The employee must work an average of at least 20 hours a week;
- The employee must give notice of his or her intention to take the leave within two business days of officially learning that his or her spouse will be on leave from deployment; and
- The employee must provide written documentation that the spouse-service member will be on leave during the period for which workplace leave is requested.

Employers cannot retaliate against employees who request leave under this law.

safe operating rules. These posters are also available at PIC. Place your order today.

To order the posters online go to www.piasc.org and click on "Government Relations." Then click on *Labor Law Posters Order Form*, and open the PDF on the right side, titled *Labor Law Posters Order Form*. Fill out the PDF and click "submit order" or call Marcos Uribe at (323) 728-9500, Ext. 299.

With your order, we will include the PIC poster on Management Practices for Reusable Shop Towels free of charge.

POST OSHA FORM 300A

OSHA requires that employers post, from February 1 to April 30, 2008, a summary of the total number of job-related injuries and illnesses that

occurred last year. Employers are only required to post the Summary (OSHA Form 300A), not the OSHA 300 Log.

The summary must list the total numbers of job-related injuries and illnesses that occurred in 2007 and were logged on the OSHA 300 form. Companies with no recordable injuries or illnesses in 2007 must post the form with zeros on the total line.

The form should be displayed in a common area wherever notices to employees are usually posted. Employers with 10 or fewer employees are normally exempt from federal OSHA injury and illness recordkeeping and posting requirements.

You can download the forms from the Cal/OSHA website at www.piasc.org under the Human Resources icon.



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NEWSPRINT CERTIFICATION DUE

All newsprint consumers (e.g., California printers and publishers) must ensure that at least half of the newsprint they annually use is recycled-content newsprint (RCN).

Each year in March, all newsprint consumers must certify that to the California Integrated Waste Management Board (CIWMB) by March 1 the amount of RCN their businesses used in the past year. In California, only newsprint that contains at least 40 percent post consumer material by weight is classified as RCN.

Analysis of the 2006 RCN certifications submitted by the consumers and manufacturers provide the following statistics:

- All California's newsprint consumers certified to the CIWMB.
- 68 percent of all the newsprint used in California was RCN, representing the highest RCN use since 1991.
- 87 percent of the consumers were in compliance; only 13 percent of the consumers requested exemptions.
- Total regulated newsprint use decreased by 15 percent from 2005 to 1,301,115 metric tons.
- Total RCN use decreased by eleven percent from 2005 to 879,861 metric tons.
- 98 percent of the consumers submitted their certifications by the March 1 due date, representing the highest compliance rate since 1991.

This single low-cost program is clearly a value-added program to the environmental efforts of California.

Companies that submit the certification late or not at all face the following penalties:

45-90 days late \$500.00
90 or more days late \$1,000.00

For a copy of the certification packet call Gerry Bonetto at 323-728-9500, Ext. 248.

TOXICS IN PACKAGING ACT

On January 1, 2006, California laws became effective which limit cadmium, lead, mercury,

2008 STANDARD MILEAGE RATES

The Internal Revenue Service recently issued the 2008 optional standard mileage rates used to calculate the deductible costs of operating an automobile for business, charitable, medical or moving purposes.

Beginning Jan. 1, 2008, the standard mileage rates for the use of a car (including vans, pickups or panel trucks) will be:

- 50.5 cents per mile for business miles driven;
- 19 cents per mile driven for medical or moving purposes; and
- 14 cents per mile driven in service of charitable organizations.

The new rate for business miles compares to a rate of 48.5 cents per mile for 2007. The new rate for medical and moving purposes compares to 20 cents in 2007. The rate for miles driven in service of charitable organizations has remained the same.

The standard mileage rate for business is based on an annual study of the fixed and variable costs of operating an automobile; the standard rate for medical and moving purposes is based on the variable costs as determined by the same study. Runzheimer International, an independent contractor, conducted the study for the IRS.

A taxpayer may not use the business standard mileage rate for a vehicle after using any depreciation method under the Modified Accelerated Cost Recovery System (MACRS), after claiming a Section 179 deduction for that vehicle, for any vehicle used for hire or for more than four vehicles used simultaneously.

Revenue Procedure 2007-70 contains additional information on these standard mileage rates.

and hexavalent chromium in product packaging.

The Department of Toxic Substances Control has taken the approach of limiting these metals in our environment through:

- Educating businesses and consumers regarding potential toxic metals in packaging; and
- Eliminating these toxic metals prior to manufacturing.

These laws affect all manufacturers, distributors, and resellers, regardless of where the packaging was made, distributed, or sold. If it is eventually sold or distributed in California, then these laws apply.

Examples of some, but not all, packaging covered by this law are:

- Food overwrap for food products sold in retail channels
- Plastic clamshells that hold a product
- Cardboard used to protect laptop computers

- Steel strapping used to secure shipping containers
- Recycled materials used to make new packaging.

If you manufacture or supply packaging or packaging components, you should review the Fact Sheets on the program at www.dtsc.ca.gov/ToxicsInPackaging.

Since January 1, 2006, manufacturers or suppliers must furnish a certificate of compliance to the purchaser of a package or packaging component stating that the package or packaging component is in compliance with the requirements of the Toxics in Packaging Prevention Act.

A copy of the certificate of compliance shall be kept on file by the manufacturer or supplier of the package or packaging components since DTSC may request a copy of the Certificate of Compliance.

A sample Certificate of Compliance may be obtained at www.dtsc.ca.gov/ToxicsInPackaging.