

GOVERNMENT AFFAIRS WATCHDOG

Post OSHA Form 300A

OSHA requires that employers post a summary of the total number of job-related injuries and illnesses that occurred last year from February 1 to April 30, 2009. 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 2008 and were logged on the OSHA 300 form. Employment information about annual average number of employees and total hours worked during the calendar year is also required. Companies with no recordable injuries or illnesses in 2008 must post the form with zeros on the total line. All establishment summaries must be certified by a company executive.

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 piasc.org under the Human Resources icon.

NEW I-9 DELAYED

On January 29, 2009, the U.S. Citizenship and Immigration Service (USCIS) announced that use of new I-9 form for verifying the eligibility of applicants for employment will be delayed until April 3rd.

All U.S. employers are responsible for completing and retaining the I-9 form for each individual they hire for employment in the United States, both citizens and

SCAQMD REVISES UV/EB CLEANUP SOLVENT RULE

Last month (January 1, 2009), the SCAQMD Rule 1171 for Cleanup Solvents dropped the VOC limits for UV/EB cleanup solvents from less than 650 grams per liter to less than 100 grams per liter for hand-wipe and automatic operations. Since then we have received calls from several members indicating they are having significant difficulty meeting the less than 100 gram per liter limit.

For this reason, Gerry Bonetto, VP of Government Affairs, has negotiated with SCAQMD senior staff to return to the less than 650 grams per liter limit until January 1, 2010. This has now been accomplished with the following two SCAQMD actions:

1. January 23 - From this date, facilities using UV/EB inks can return to the higher limit for cleanup solvent without receiving a Notice of Violation. Staff alerted the stationary source committee of its intent to institute Limited Enforcement Discretion (limited to the issue at hand) on UV/EB printing operations.
2. February 6—Staff submitted a letter alerting the Executive Board of the Limited Enforcement Discretion for UV/EB operations.

The Limited Enforcement Discretion action allows printers to use the higher VOC products until Rule 1171 can be amended. Because of public notice requirements and scheduling, this won't be done until May 2009. In order to obtain the extension, PIASC has agreed to take the lead in identifying and getting printers to test solvents below 100 grams per liter.

NOW, WE NEED YOUR HELP!

We need to hear from any company with UV/EB printing processes—first, to find out what cleanup solvent you are currently using, and, second, to ask you to participate in the testing of low-VOC cleanup solvents.

Please contact Gerry Bonetto if you can help at (323) 728-9500, Ext. 248.

non-citizens. On the I-9 form, the employer must verify the employment eligibility and identity documents presented by the employee and record the document information.

The USCIS announcement appears to be in keeping with the memorandum issued by President Barack Obama's chief of staff, Rahm Emanuel, on January 20th, directing all federal agencies, to put a 60-

day hold on any federal regulations not yet published in the Federal Register. The Department of Homeland Security and USCIS had already issued the new I-9 form and had labeled it to take effect on February 2 before the USCIS announcement.

In the interim, companies should use the current I-9 form with the 06/05/07 revision date.



**Affiliated
Associations:**

Printing Industries of California

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ANOTHER ATTEMPT AT FLEXIBLE WORKWEEK

Assemblymember Van Tran (R-Costa Mesa) has introduced AB 141, the Workplace Flexibility Act of 2009. The bill will permit a nonexempt employee to request an employee-selected flexible work schedule providing for workdays up to 10 hours within a 40-hour workweek and would allow an employer to implement this schedule without any obligation to pay overtime compensation.

Current California law requires an employer to pay overtime after 8 hours in a workday versus the common standard of a 40-hour workweek. The Labor code further states that in order for an employee to enter into an agreement for an alternative workweek schedule, the business must engage in an election process where 2/3 of the employees in a work unit adopt alternative workweek schedules with workdays no longer than 10 hours within a 40-hour workweek. The complexity of this election process exposes employers to potential lawsuits which deter them from initiating the process in the first place.

The printing industry has always advocated for this type of legislation. As in the past, however, we don't have much hope for its passage, since the Democratic side of the legislature will certainly oppose passage of such legislation.

PROPERTY TAX ON PRESSES

PIC continues to work on revising the valuation factors for printing presses. These serve as the basis for the assessment of county property tax. The process is long and challenging, such that we have been working for the past year and are about half-way home.

Initially, we were told that the only way to get the Board of Equalization to conduct the study was first to get legislative funding to pay for the cost (staff time) for the project. After meeting with legislators, we saw, with the current budget crisis, that getting legislative funding was an impossible dream.

We then went directly to the five elected members of the State Board of Equalization (BOE). Several other industries, however, also want to revise their valuation factors,

CPSA TESTING REQUIREMENT POSTPONED

The Consumer Product Safety Act, passed in 2008 in large part in response to high-profile recalls of both imported and domestically-produced children's toys and products, greatly expands the authority of the Consumer Product Safety Commission (CPSC) and regulates potentially hazardous children's products, among many other items.

The Act establishes lead and phthalate (e.g., plasticizers that could be found in inks, coatings, and adhesives) content limits and requires testing and certifying of products to ensure they do not exceed these limits.

The term "children's products" is broadly defined, and includes books and other printed material (e.g., education magazines, flashcards, posters, bookmarks, and worksheet) that are included in children's products or created for and marketed to children.

Thus the act affects many clients—and thus many printers, since manufacturers of these products are required to issue a general conformity certificate that certifies, based on a test of each product by an accredited laboratory or a reasonable testing program, that their products comply with the Act's standards.

February 10, 2009, was the trigger date for certification.

Through the hard work of Printing Industries of America, and other coalition partners, CPSC granted a one year stay of enforcement for testing and certification, until February 10, 2010.

Unfortunately, the stay does not prevent retailers, vendors, and other print customers from requesting printers to comply with the testing and certification requirements.

In the interim, however, Printing Industries of America will continue to work towards the goal of achieving a permanent, complete exemption from this Act.

thus, at its September meeting, the BOE adopted a Formal Issue Paper that outlines the procedures to be followed to submit a Petition to Conduct a Property Tax Valuation Study. The petition, which is very detailed, is a screening device to discourage industries from pursuing a valuation study.

We are the first industry to get the Petition in. The BOE will decide within the next two weeks on whether to accept the petition, which we have been led to believe that it will. Once a petition is accepted, the valuation study should go much quicker.

SAN FRANCISCO: DO NOT MAIL

On December 16, 1998, a member of the Board of Supervisors of San Francisco introduced a resolution urging the California State Legislature to establish a Do Not Mail Registry.

After considerable testimony from both sides of the issue, the Board voted to refer the resolution back to committee for further discussion—back to a committee chaired by the author of the resolution. We believe the measure will be heard in committee in the near future, with an attempt to pass it out of committee for a Board vote.

An alliance of printers, postal workers, advertisers, through the leadership of Mail Moves America (www.mailmovesamerica.org), joined together to oppose the resolution. Our argument was simple and true. While such a registry might sound like good, local public policy, there are unintended consequences for the state to create a registry for people to remove their names from marketing lists: it would cost jobs, hurt small business, and eliminate a convenient marketplace for consumers.