



CONTRACTORS STATE LICENSE BOARD

# CALIFORNIA LICENSED CONTRACTOR

Fall 2010

| Stephen P. Sands, Registrar

| Arnold Schwarzenegger, Governor



*Lisa Miller-Strunk*

## A Message From the Board Chair

Construction is one of the most complex industries in California. CSLB has more than 40 different licensing classifications, along with almost 30 limited specialty classifications. With so many different variables and moving parts, regulating the state's construction industry does have challenges. One of the biggest challenges is keeping up with trends and changes in technology. For example, right now the Board is taking a close look at the quickly evolving solar industry and **which license classifications are qualified to perform solar installations.**

The Board is also responsible for ensuring that all of its 45 different licensing exams are updated to keep up with times. That process for each classification includes conducting an extensive occupational analysis and developing a new exam every five to seven years. Classifications currently undergoing an occupational analysis or getting a new exam include C-8 Concrete, C-27 Landscaping, C-29 Masonry, and C-53 Swimming Pool. A new Law and Business exam is also being developed.

Another challenge is one that is a byproduct of the economy. The construction industry has been hit particularly hard. But that does not justify breaking California's business, health, safety, or contracting laws. While I believe the vast majority of our more than 300,000 licensed contractors operate within the law, those who do skirt the laws make it difficult, if not impossible, for the law-abiding contractor to compete.

One example is the contractor who pays employees in cash—under the table—and who doesn't provide workers' compensation insurance. Another is the contractor who either pays or receives inducements, sometimes known as "kick-backs" or "referral fees," as a way to secure contracts or projects. A third is the contractor who doesn't pull building permits and bypasses the required inspections.

CSLB's Enforcement division is working closely with industry groups and its partner law enforcement agencies to prosecute violators. A new tool CSLB will aggressively use is the result of landmark legislation that goes into effect January 1, 2011. **Senate Bill 1254** will give CSLB the authority to issue a "stop work" order for any licensed contractor or unlicensed operator who fails to carry workers' compensation for his or her employees. The stop work order will take effect immediately after it's issued. Violators could serve up to 60 days in jail and/or be issued a \$10,000 fine. The new law will also allow CSLB to more than triple its number of sworn peace officers.

When CSLB, its licensees, and the industry team to address significant issues, such as the ones I mentioned above, we all benefit and help drive California's economy.

Respectfully,

Lisa Miller-Strunk

## Licensees Can Pay for Renewal, Reactivation by Credit Card

You can now pay for re-exams, license and HIS renewals, and reactivation using Visa, MasterCard, Discover and American Express at CSLB Headquarters in Sacramento.



*First licensee to use e-payment system, Freeman Hollands.*

The new feature began in late August and is "phase one" of the Board's electronic payment project. San Mateo electrical contractor Freeman Hollands was the first licensee to take advantage of the new payment options. Mr. Hollands indicated it was simple and convenient to use with guidance from the computer prompts. Written instructions are also available at the front counter.

"This has been a long time coming and we're thrilled that all of the IT staff time and effort has paid off with such a seamless first transaction," said Registrar Steve Sands.



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## Kick-Backs Can Cost You

Remember that it is illegal for contractors or subcontractors to accept or pay referral or "kick-back" fees in order to secure construction or remodeling projects. Violators may face fines or disciplinary action against their license.

### § 7157. Prohibited inducements

- (a) Except as otherwise provided in subdivision (b), as a part of or in connection with the inducement to enter into any home improvement contract or other contract, which may be performed by a contractor, no person may promise or offer to pay, credit, or allow to any owner, compensation or reward for the procurement or placing of home improvement business with others.
- (b) A contractor or his or her agent or salesperson may give tangible items to prospective customers for advertising or sales promotion purposes where the gift is not conditioned upon obtaining a contract for home improvement work if the gift does not exceed a value of five dollars (\$5) and only one such gift is given in connection with any one transaction.
- (c) No salesperson or contractor's agent may accept any compensation of any kind, for or on account of a home improvement transaction, or any other transaction involving a work of improvement, from any person other than the contractor whom he or she represents with respect to the transaction, nor shall the salesperson or agent make any payment to any person other than his or her employer on account of the sales transaction.
- (d) No contractor shall pay, credit, or allow any consideration or compensation of any kind to any other contractor or salesperson other than a licensee for or on account of the performance of any work of improvement or services, including, but not limited to, home improvement work or services, except: (1) where the person to or from whom the consideration is to be paid is not subject to or is exempted from the licensing requirements of this chapter, or (2) where the transaction is not subject to the requirements of this chapter.

As used in this section "owners" shall also mean "tenant." Commission of any act prohibited by this section is a misdemeanor and constitutes a cause for disciplinary action. Added Stats 1969 ch 1583 § 3, as B&P C § 7026.9. Renumbered by Stats 1972 ch 1138 § 1.3. Amended Stats 1997 ch 812 § 7 (SB 857), ch 813 § 5 (SB 825).





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## License Fees to Increase July 2011

Beginning July 1, 2011, a new license fee structure becomes effective that will also apply to all fees associated with first-time applicants and certificates.

CSLB fees have been kept below their statutory maximum and have not been increased since 1993, despite reduced license revenue levels that have declined since 2007.

CSLB is entirely funded from application, licensing, and renewal fees combined with fines and penalties, and interest earned on its unexpended fund balance. CSLB fee increases will help generate sufficient revenue to maintain current service levels in licensing and enforcement. This fee increase also ensures that contractors will be licensed quickly and play an important role in California's economic recovery.

For a contractor who will be renewing an existing license on time, the increase will be \$60 over the current fee level. A contractor license is renewed every two years, so the increase amounts to only \$2.50 per month. The cost increase for an applicant for a new contractor license (who does not need to retest) amounts to \$80 over existing fee levels (an increase of 20 percent).

The costs of contractor licenses in other states are typically higher than California. CSLB believes the increase in fees is the best alternative in order to avoid major reductions in proactive enforcement (unlicensed activity and the underground economy) and maintain timely processing of license applications and renewals. CSLB will be working to expand its credit card payment program to make fee payments more convenient.

The increases by fee and percentage are noted in the following table:

2011 CSLB Fee Increases

Fee	Current Amount	New Amount	Increase	Percent Increase
Application for Original Contractor License	\$250.00	\$300.00	\$50.00	20%
Application to Add a Supplemental Classification or to Replace the Responsible Managing Officer or Employee on an Existing License	\$50.00	\$75.00	\$25.00	50%
Rescheduling an Examination	\$50.00	\$60.00	\$10.00	20%
Initial License Fee	\$150.00	\$180.00	\$30.00	20%
Renewal - Contractor License (Biennial)	\$300.00	\$360.00	\$60.00	20%
Renewal - 4-Year Inactive License	\$150.00	\$180.00	\$30.00	20%
Reactivate Contractor License	\$300.00	\$360.00	\$60.00	20%

Home Improvement Salesperson (HIS) Registration Fee	\$50.00	\$75.00	\$25.00	50%
Asbestos Certification Fee	\$50.00	\$75.00	\$25.00	50%
Hazardous Substance Removal Certificate	\$50.00	\$75.00	\$25.00	50%
Delinquent Renewal - Contactor License /1	\$150.00	\$180.00	\$30.00	20%
Delinquent Renewal - 4-Year Inactive License /1	\$75.00	\$90.00	\$15.00	20%
Delinquent Renewal - HIS Registration /1	\$25.00	\$37.50	\$12.50	50%

/1 B&P Code Section 7137 (f) sets the delinquency fee as a percentage of the applicable renewal fee: "The delinquency fee is an amount equal to 50 percent of the renewal fee, if the license is renewed after its expiration."

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## Excavating? Call 811 Before You Begin

There are several reasons to make sure you call 811 before you begin an excavation project—safety risks and potential fines are at the top of the list, not to mention the possibility of losing your contractor license.

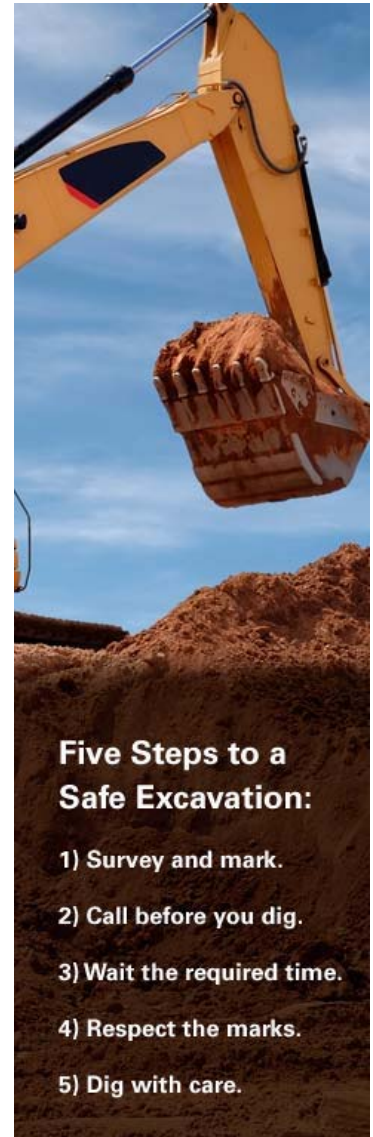
If you plan to disturb a ground surface—whether by digging, drilling, boring, etc.—you must contact either the northern or southern California regional notification center at least two (2) working days (but not more than 14 calendar days) before beginning your excavation project. The center will issue an inquiry identification number to the excavator as confirmation of the call, and an Underground Service Alert (USA) excavation ticket number, which is only valid for 28 days. Every general contractor, contractor, or subcontractor excavating at a job site must have his or her own USA identification (ticket) number for the excavation work he or she is performing. An excavation permit is not valid without the identification number.

The regional notification center call is free: 811 / 800.227.2600. If you fail to contact 811, your excavation will be considered unauthorized digging and you may be subject to as high as a \$50,000 fine, held responsible for any repair costs, and potentially lose your contractor license. The regional notification center websites provide information about permit exemptions and other state laws and requirements. The northern California regional notification center ([www.usanorth.org](http://www.usanorth.org)) serves the entire state of Nevada and the following California counties: Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kern, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba, Monday through Friday, 6 a.m. to 7 p.m., excluding holidays.

The southern California Underground Service Alert ([www.digalert.org](http://www.digalert.org)) center serves the following counties: Imperial, Inyo, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and Ventura, Monday through Friday, 6 a.m. to 7 p.m., excluding holidays.

### Penalties

- Any operator or excavator who **NEGLIGENTLY** violates any portion of Government Code Sections 4216–4216.9 is subject to a fine not to exceed \$10,000.
- Any operator or excavator who **KNOWINGLY AND WILLFULLY** violates any portion of Government Code Sections 4216–4216.9 is subject to a fine not to exceed \$50,000.
- An excavator may also be subject to third party claims for damages arising from the



### Five Steps to a Safe Excavation:

- 1) Survey and mark.
- 2) Call before you dig.
- 3) Wait the required time.
- 4) Respect the marks.
- 5) Dig with care.

Whatever you do, do it safe, but call at least two (2) working days to fourteen (14) calendar days before you dig. To find out more on 811, visit [www.call811.com](http://www.call811.com).

excavation work.

- Violation of Government Code Sections 4216–4216.9 could result in disciplinary action and possible revocation of your contractor license by the Contractors State License Board.
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## New Workers' Compensation Posting Requirement in Effect

All California employers are required to post new **"Notice to Employees – Injuries Caused at Work"** in English, and in Spanish if there are Spanish-speaking workers. This regulation took effect on October 8, 2010.

In addition to placing the new posters in a common area, employers must distribute the "Your Rights to Workers' Compensation Benefits" pamphlet to all individuals hired after October 8. There are also new claim forms and medical provider network change forms and notices required by this regulation.

Failure to comply with the posting requirements can result in fines up to \$7,000. Notices and forms are available in English and Spanish on the [Department of Industrial Relations' Division of Workers' Compensation](#) website.



## Federal Lead-Paint Regulations Enforced

The United States Environmental Protection Agency (U.S. EPA) is now enforcing the **Renovation, Repair and Painting (RRP) Rule**. The law requires "lead paint safety certification" for anyone who does remodeling or demolition in homes, schools, and childcare facilities constructed in and before 1978. Failure to obtain the proper certification can result in fines of up to \$37,500 for each day and each location where violations occur.



EPA inspectors are responding to leads and conducting worksite and paperwork inspections throughout California and the other states in EPA's **Region 9**. EPA is also receiving tips from the public about possible violations through its online **Tip & Complaint form**. When EPA receives a tip, inspectors evaluate whether any state or local laws are being broken. If they are, city or county building officials or the Department of Industrial Relations' Division of Occupational Safety and Health (DOSH) immediately respond in order to quickly address any unsafe operations or conditions.

Tips are then filed for future inspections and contractors or construction firms are sent a warning letter. California law parallels several of the RRP requirements. While state and local officials cannot address federal violations, they can issue citations for violating state requirements, and pass along information to EPA inspectors. The EPA's interim final enforcement document has more information about this enforcement regulation.

To comply with the regulation, contractors, or at least one individual employed by a licensed contractor's firm, must be enrolled in and complete approved training by December 31, 2010. Training costs vary by provider. Once training is complete, the contractor needs to apply for certification, which costs \$300 and is valid for five years. The U.S. EPA has more information on training providers and applying for certification at [www.epa.gov/lead](http://www.epa.gov/lead) or by calling 800.424.LEAD (5323).

It is not necessary to submit EPA certification or proof of lead safety course completion to CSLB. CSLB's website provides a link to the U.S. EPA's list of certified firms in their area so consumers can check a contractor license and certification status in the same location.

The U.S. EPA is **soliciting input** from small business regarding exterior lead paint on public and commercial buildings. The advice and recommendations will be considered as the agency develops regulations regarding the renovation, repair, and painting of such buildings.



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## CSLB-Sponsored Workers' Comp Enforcement Law among those Taking Effect in 2011

Beginning January 1, 2011, the Contractors State License Board (CSLB) will be able to issue a "stop work" order to any licensed or unlicensed contractor who fails to carry workers' compensation insurance coverage for his or her employees a valuable tool for combating the underground economy. The new law will give CSLB unprecedented authority, enabling CSLB enforcement representatives to more effectively stop unlicensed, uninsured activity, and aid in the state's efforts to assure a level playing field for licensees who follow workers' compensation laws.



Failure to comply with the stop work order will be a misdemeanor, punishable by up to 60 days in jail and/or a fine up to \$10,000. The stop work orders take effect immediately, but may be appealed by a written hearing request submitted within 20 days of the order being issued. The law requires the stoppage to be affirmed or denied immediately following the hearing, and all parties notified within 24 hours. Employees affected by the work stoppage would be entitled to up to 10 days' pay for lost time. The bill allows CSLB to increase peace officer positions from three to twelve, if approved by the Director of the Department of Consumer Affairs.

Following are additional laws related to the construction industry and CSLB that were passed during the 2009-2010 legislative session, most taking effect January 1, 2011 (Laws effective on dates other than January 1, 2011 are noted in ***bold italics***):

### Other Workers' Compensation

#### **SB 313** (DeSaulnier) Labor Code Section 3722 amended

This bill, signed in 2009, increases the potential penalty for failure to have a workers' compensation policy from \$1,000 to \$1,500 for each employee not covered. Fines are administered by the director of the Department of Industrial Relations. (*Amended Stats 2009 ch 640 § 1, effective January 1, 2011.*)

#### **AB 2305** (Knight) Business and Professions Code Section 7125 and Insurance Code Section 11665 amended

The bill extends the requirement for C-39 Roofing contractors to carry a workers' compensation policy, even if he or she has no employees until 2013. It also requires providers of such policies to conduct annual payroll audits and submit the data to the Department of Insurance until January 1, 2013, unless another bill deletes or extends these provisions. (*Amended Stats 2010 ch 423 §, 2 and 3, effective January 1, 2011.*)

### Mechanic's Liens

#### **AB 457** (Monning) Civil Code Sections 3084 and 3146 amended

This CSLB-sponsored bill stipulates that the definitions of "claim of lien" and "mechanic's lien" are the same. It also requires that a Notice of Mechanic's Lien be served on the owner or person believed to be the owner of the property or on the construction lender or original contractor, and that a "proof of service affidavit" to the above individual(s) be completed and signed by the person serving the Notice of Mechanic's Lien. Failure to serve the mechanic's lien and confirm a proof of service affidavit will cause the mechanic's lien to be unenforceable. (*Amended Stats 2009 ch 109 § 1 and 2, effective January 1, 2011.*)



**SB 189** (Lowenthal) Business and Professions Code Sections 7034, 7071.5, 7071.10, 7159, 7159.1, 7159.5, 7159.14 and 7164 amended

This law revises existing mechanic's lien law. It enacts separate provisions governing public and private improvement works. (*Amended Stats 2010 ch 697 § 1 through 8, effective January 1, 2011.*)

## Public Contracts

**AB 635** (Committee on Accountability and Administrative Review) Public Contract Code Article 1 added to Part 1, Chapter 3, Division 2

This bill requires contractors, engineers or architects engaged in roofing projects for public schools or community colleges, to disclose financial relationships connected to those entities and sign certification stating that he or she will not receive or give financial incentives in connection with the bid being awarded. Knowingly providing false information or failure to disclose a financial relationship is subject to a civil fine of up to \$1,000. This law took effect immediately upon signing and chaptering on September 29, 2010. (*Amended Stats 2010 ch § 1, effective September 29, 2011.*)

**AB 2036** (Bill Berryhill) Public Contract Code Sections 10111.2 and 20103.7 added

This law will require state departments and local agencies to make electronic copies of project plans available at no charge to a contractor plan room upon request of a contractor plan service. (*Amended Stats 2010 ch 371 § 1 through 3, effective January 1, 2011.*)

**AB 2184** (Arambula) Public Contract Code Section 22037 amended

This bill amends current law to include electronic notification by public agencies for notices inviting formal bids for contracts. The new law requires agencies to submit notification by fax or electronic mail, if available, to trade journals at least 15 calendar days before the opening date of bids. The 30-day requirement for mailed notification remains in the law. (*Amended Stats 2010 ch 62 § 1, effective January 1, 2011.*)

## Criminal

**AB 2372** (Ammiano) Penal Code Section 487 amended

This law changes the threshold from \$400 to \$950 to charge the crime of grand theft for stealing money, labor, real or personal property. (*Amended Stats 2010 ch 693 § 1 and 2, effective January 1, 2011.*)

## Environmental

**AB 1343** (Huffman) Public Resources Code Chapter 5 added to Part 7, Division 30

This law requires manufacturers of architectural paint to submit a plan for paint recycling to the Department of Resources, Recycling and Recovery that could include an assessment on the sale of architectural paint. The plan will include contractor and consumer outreach and education about this plan. (*Amended Stats 2010 ch 420 § 1 and 2, effective April 1, 2012.*)

**AB 2398** (John A. Perez) Public Resources Code Section Chapter 20 added to Part 3, Division 30 and Section 42980 repealed

This law will require carpet manufacturers to develop a recycling plan about which they will be required to educate carpet installation contractors. Carpet manufacturers must charge an assessment of one-half cent per square yard on the purchase price to pay for the program. (*Amended Stats 2010 ch 681 § 1 and 2, effective July 1, 2011.*)

## CSLB/Consumer Board Operations

**SB 294** (Negrete McLeod) Business and Professions Code Sections 7000.5 and 7011 amended

This bill extends CSLB's operations as a board from January 1, 2011 to January 1, 2012. (*Amended Stats 2010 ch 695 § 37 and 38, effective January 1, 2011.*)

**SB 392** (Florez) Business and Professions Code Sections 7025, 7028.5, 7029, 7065, 7065.1, 7065.5, 7068, 7068.1, 7068.2, 7069, 7071, 7071.1, 7071.8, 7071.9, 7071.11, 7071.17, 7072.5, 7075.1, 7076, 7076.2, 7085.6, 7090, 7090.1, 7096, 7121, 7121.1, 7121.5, 7121.6, 7122, 7122.1, 7122.2, 7122.5, 7137, 7138, 7152, 7159 and 7159.10 and 7071.6.5 and 7071.19 added; Corporations Code Section 22037 amended

This bill authorizes the issuance of a contractor license to a Limited Liability Corporation beginning January 1, 2012. The

LLC would be required to maintain liability insurance of between \$1,000,000 and \$5,000,000 and post a \$100,000 surety bond as a condition of licensure. In the case of suspension of the license, each member, officer, director or responsible managing officer of the company is personally liable for up to \$1,000,000 each for damages resulting from the company's performance. (*Amended Stats 2010 ch 698 § 1 through 43, effective January 1, 2012.*)

**SB 1491** (Committee on Business, Professions and Economic Development) Business and Professions Code Sections 7028.6, 7028.7, 7028.9 and 7058.5 amended

This bill makes minor changes to current B&P Code relative to the construction industry, including that a citation for acting as a contractor or salesperson without a license or registration be issued within four years, or 18 months of a complaint for the violation, whichever is later. The bill also allows for contractors applying for an original license to complete and return the required open book exam about asbestos electronically. (*Amended Stats 2010 ch 415 § 17, 18 and 19, effective January 1, 2011.*)

**AB 1659** (Huber) Government Code Section 9147.7 added

This law abolishes the Joint Committee on Boards, Commissions and Consumer Protection and replaces it with the Joint Sunset Review Committee. CSLB's sunset review process remains unchanged. (*Amended Stats 2010 ch 666 § 1, effective January 1, 2011.*)

**AB 2130** (Huber) Business and Professions Code Section 22 amended and Section 101.1 and Division 1.2 repealed

This law is a companion bill to AB 1659, replacing the Joint Committee on Boards, Commissions and Consumer Protection and replacing it with the Joint Sunset Review Committee. (*Amended Stats 2010 ch 670 § 1 through 3, effective January 1, 2011.*)

**AB 2500** (Hagman) Business and Professions Code Section 114 amended and Section 114.5 repealed

The bill amends current law that allows an individual licensed by Department of Consumer Affairs' boards and bureaus to reinstate their license without examination or penalty if serving in the California National Guard or United States Military during a period of war. The new law repeals the section defining war. It also extends the reinstatement provision for licensees who can prove they were serving on active, military duty, provided their request comes not more than one year after discharge or the end of active duty. (*Amended Stats 2010 ch 389 § 1 and 2, effective January 1, 2011.*)

These changes in the law will be explained further in the 2011 edition of CSLB's *California Contractors License Law & Reference Book* scheduled for release in early January, which can be accessed on the CSLB website: [www.cslb.ca.gov](http://www.cslb.ca.gov).

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## CSLB Information Sources Expand

You can now follow CSLB through two new social media information avenues—Facebook and Twitter. Be sure to follow CSLB to receive updates on news, events, and other important information for licensees.

CSLB invites you to comment and join in on the discussion both with CSLB and other users. Please keep in mind that while CSLB's social media profiles are an open forum, inappropriate or abusive comments will not be tolerated and consequently removed.



## Scourge of Underground Economy Strengthens Industry Partnerships, Resolve



More than 50 representatives from the construction industry, legislative offices, law enforcement, and other government agencies were hosted by CSLB on September 28, 2010, to discuss ways to enhance enforcement of construction laws and work toward a level playing field for licensees who accurately report their payroll and provide workers' compensation coverage for their employees.

Board member and Enforcement Committee Chair Ed Lang characterized the underground economy as a "scourge on society and a threat to law-abiding construction businesses." He expressed confidence that those in attendance would be able to develop new ideas using existing resources to pursue workers' compensation fraud prosecution and other contractor law violations.

It is estimated that the elusive **underground economy** is between \$60 and \$140 billion each year, comprised of people who operate illegally by shunning state business, tax, employment, and safety laws.

Following more than two hours of open, productive discussion, industry representatives pledged to develop a system to share information and more effectively report leads on illegal activity. The group agreed to conduct future meetings to develop legislative proposals that will help strengthen state enforcement laws. A photo album of this meeting is available on [CSLB's Facebook page](#).



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## Upcoming Cal/OSHA Rules Affecting Licensees



Changes to safety rules and regulations for heavy equipment lifts and cranes that elevate workers are under consideration by the Department of Industrial Relations' **Occupational Safety and Health Standards Board (OSHSB)**, and may affect work guidelines at construction sites in

the coming months.

OSHSB is reviewing general industry safety orders to assure worker protection when employees are elevated with rough terrain fork lifts. There is concern that existing standards for lift trucks do not sufficiently address the increased use of boom-type lifts. The safety board is also close to adopting new safety orders that will consolidate rules relating to portable ladders.

A federal OSHA requirement governing cranes and derricks in construction took effect on November 8, 2010. Many of Cal/OSHA's current standards for cranes meet or exceed the federal guidelines, as California was one of the first states in the nation to require licensing for crane operators. Current state licensing certification is required for more than seven-and-one-half ton cranes. The new federal guidelines will require that such training and certification be adopted for operation of cranes that are one ton or more. OSHSB has six months from the time of the effective date of the federal rule to enact these standards for crane operation in California.

CSLB licensees may want to take advantage of Cal/OSHA's consultation services regarding employee safety rules.

## Cal/OSHA Cools Down Heat Regulations

Employers in the construction, agricultural, landscaping, oil and gas extraction, and transportation industries are now required to have shade present to accommodate up to 25 percent of their employees on any given shift when temperatures are above 85 degrees.

As of November 4, 2010, **Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA)** procedures require the shade to be close to where the employees are working and readily available upon employee request, even if the temperature is below the 85-degree mark.

These procedures will require supervisors to closely monitor employees and remind them to take regular breaks for water and shade. **California Labor Code Section 3395** requires employers to accommodate their workers in high-heat situations by providing clean water, ample shade, rest areas, and heat illness training for both employees and supervisors.

Visit [www.dir.ca.gov/DOSH/HeatIllnessInfo.html](http://www.dir.ca.gov/DOSH/HeatIllnessInfo.html) for more information.



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## Zero-Tolerance for Uncertified Electricians

CSLB reminds C-10 Electrical contractors of its zero-tolerance enforcement policy for any contractor who willfully employs even one uncertified electrician to perform work as an electrician. The board is legally required to open an investigation and initiate disciplinary action against the contractor, which may include license suspension or revocation, within 60 days of receipt of a referral or complaint from the [Division of Apprenticeship Standards \(DAS\)](#).

Subsections within [Labor Code Section 3099](#) clearly state that certification by DAS is required for anyone who performs work as an electrician for C-10 contractors. DAS is required by Labor Code Section 3099.2 to report violations to CSLB.



Electricians are defined as all persons who engage in the connection of electrical devices for C-10 contractors. It is CSLB's position that electrical work must be performed by a certified electrician or an approved apprentice. Trenching, concrete, framing, and other work that does not involve connecting electrical devices may be performed by noncertified workers.

Questions regarding this CSLB enforcement policy should be directed to Brian Gedney 916.255.4435.

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