



EDUCATION, TRAINING AND NETWORKING

CALPASC conducted **60** cost-effective, educational and training seminars on contract negotiations, AB 758 (Type I Indemnity reform), wrap insurance, workers' compensation and more. Similarly, CALPASC chapters supported staff councils providing training, education and networking. CALPASC's frequent, local and statewide activities allowed trade contractors to network with fellow members, and the trade councils allowed contractors to work together to resolve common problems associated with materials and processes. CALPASC members are prepared by staying current on solutions to the issues they face.

2006 CALPASC Member Legislative, Legal And Regulatory Value Statement



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During 2006, CALPASC provided valuable membership and advocacy services to protect members' businesses. CALPASC, in conjunction with your local chapters, achieved the following key successes on behalf of its members:

LEGISLATIVE ACCOMPLISHMENTS

Working diligently this past legislative session to ensure positive outcomes for members, CALPASC sponsored **AB 2303 (SB 800 reform)** and helped to defeat **SB 46 (dry cutting)** and **SB 815 (repeal of workers' compensation reforms)**.

Assembly Bill 2303 was the first successful attempt at amending one of the many flaws in the Functionality Standards of SB 800. Effective January 1, 2007, this correction places the responsibility for waterproofing systems with the appropriate party. Senate Bill 46 would have banned dry cutting of all masonry materials and would have created unrealistic regulations and subjected contractors to continuous fines or to spending exorbitant amounts to be in compliance. Through CALPASC's government affairs and risk management efforts, SB 46 was defeated. Senate Bill 815 sought to double permanent benefits. Without CALPASC's efforts, members would have paid thousands of dollars in increased workers' compensation premiums. Again, CALPASC's trade contractor advocacy efforts helped defeat this dangerous piece of legislation.



LEGAL SERVICES

By accessing CALPASC's legal services, members saved significant dollars in contract review. Throughout the past 12 months, CALPASC has posted more than 150 contracts on its Web site, including sample addendums of builders' contracts with potential pitfalls highlighted and suggested changes. Additionally, CALPASC submitted an Amicus brief to the California Supreme Court in the **Crawford v. Weathershield** case. The Court has agreed to answer

the question: Under a Type I Indemnity provision, is a subcontractor's duty to defend limited to claims arising from actual negligence or is the obligation to defend the general contractor against all claims, even those merely alleging subcontractor negligence? Left to stand, this ruling could financially cripple many of our members, large and small. Also, CALPASC asked the Court of Appeals to certify the **Templeton** decision for publication. If published, it will provide authority to help members fight out-of-state arbitration demands.

REGULATORY ACCOMPLISHMENTS

CALPASC was successful on several regulatory fronts, including the fight to remove major items from **Cal/OSHA heat illness regulations**, and members saved significant money. Also, CALPASC and the California Framing Contractors Association created and submitted a draft to revise section **1704** of Cal/OSHA's safety regulations. If approved, the document will give CALPASC members choices in cost associated with and compliance of Cal/OSHA's safety regulations.

CALPASC worked with the California Conference of Mason Contractor Associations to establish parameters for a dry cutting regulation the construction industry will support; one that protects employee health and contractor costs. Through CALPASC's representation, concrete and masonry contractors will have significant input into the regulation, resulting in a reasonable regulation that will avoid attacks from bills like SB 46 in the future. The result will be improved safety in the workplace without unwarranted and costly citations for trades.

With respect to workers' compensation, CALPASC joined the California Chamber of Commerce to oppose undoing **workers' compensation reform**. Unopposed, CALPASC members would have lost at least half of the 2004 reform savings. To gain industry understanding and support of the critical need for insurance reforms, CALPASC led numerous seminars and conference presentations statewide, including several at the West Coast Casualty and Building Industry Show, on **wrap insurance and owner-controlled insurance reforms**.

