

## DIVERSITY & INCLUSION:

**A Zoom Webinar on how to increase cultural awareness and develop strategies for your organization.**

**Thursday, February 4<sup>th</sup> • Noon to 1:15 P.M.**

*The Presenter is **Dr. Erika Powell, Ph.D.**, The Personnel Perspective.*



Corporate culture is a timely and important element in the success or failure quotient for business owners, and for the employees who work for them.

Being aware of the many forces at play both positively and negatively in your business – and in the community – is a positive step towards creating a company that thrives. Organizations that are sensitive to the culture in their organization tend to be more successful, particularly when it leads to focus on supporting all of their employees.

**Join us for this Zoom Webinar designed to equip you with basic strategies for creating a foundation of diversity, equity, inclusion, and belonging in your organization.**

**\$25 per firm** (Exclusive to NCBE members; not open to non-members). To register please contact [kassandra@ncbeonline.com](mailto:kassandra@ncbeonline.com).



Monday, January 11, 2021

Vol. 67 #2

Upcoming webinars & events .....2

Employers challenge California's  
emergency temporary standards ...3

Deadline extended to apply  
for a CA Relief Grant.....6

Burning question:  
Should natural gas be banned?....9

Culture shift: How women-  
owned businesses are changing  
remodeling .....14

OSHA's Use of drones may  
expand in 2021 .....18

The craziest places we've  
trained.....20

Capitol Connection.....21

Classified ads  
& Member webinars.....24

Advertising rates .....25

Advertising do's & don'ts.....26

Plan Room .....28 – 68

**This Week**

## Some advice about Employee Handbooks in 2021

Our friends at the California Employers Association – an HR organization to which NCBE belongs – recently reminded us that having a good Employee Handbook is always an important management tool in your organization.

Not only do these handbooks officially inform your staff of your company's policies and expectations and outline employer obligations, they are often critical in case you get involved in a lawsuit.

In 2021, there are some significant mandatory and suggested updates you need to be considering as an employer. These include:

- **California Family Rights Act (SB 1383)**
- **Crime Victims Leave (AB 2992)**
- **These Paid Family Leave**

Those are just a few of the more important new requirements. If you're interested in more information about handbook provisions, policies required by state and federal law, and what NOT to put in an Employee Handbook, you can register for CEA's "Employee Handbook Webinar" on Wednesday, Feb. 17<sup>th</sup> if you [CLICK HERE](#).

You can also [CLICK HERE](#) to purchase a *Do-It-Yourself Employee Handbook*.

## PPP, part two

Well, it looks like the Small Business Administration and U.S. Department of Treasury are rolling out another round of Paycheck Protection Program (PPP) funds to provide some badly-needed financial assistance for employers to help them maintain their payroll during the COVID-19 pandemic.

There are some new conditions and elements to this funding, but for tens of thousands of businesses – including NCBE members in Sonoma, Lake, Mendocino, and Napa Counties – it is certainly worth looking into.

[CLICK HERE](#) for additional information.

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## Upcoming Webinars & Events

**Forklift Training**Monday, January 18<sup>th</sup>

3 P.M. to 5 P.M.

Cost \$50 NCBE Members

*Must register in advance for log-in info*Contact [kassandra@ncbeonline.com](mailto:kassandra@ncbeonline.com)**SWPPP's Workshop**Wednesday, January 20<sup>th</sup>

12 P.M. to 2 P.M.

FREE to NCBE Members

*Must register in advance for log-in info*Contact [kassandra@ncbeonline.com](mailto:kassandra@ncbeonline.com)**Confined Space Training**Wednesday, January 27<sup>th</sup>

1 P.M. to 5 P.M.

Cost \$85 NCBE Members

*Must register in advance for log-in info*Contact [kassandra@ncbeonline.com](mailto:kassandra@ncbeonline.com)**Mechanics' Lien**Friday, March 12<sup>th</sup>

12 P.M. to 2 P.M.

Cost \$20 NCBE Members

*Must register in advance for log-in info*Contact [kassandra@ncbeonline.com](mailto:kassandra@ncbeonline.com)**Sexual Harassment Prevention**

All Year

The California Department of Fair Housing and Employment offers free Sexual Harassment Prevention Training for supervisors (2-hour) and employees (1-hour) in English and Spanish, and a number of other languages as well. To get more information and to sign up go to:

<https://www.dfeh.ca.gov/shpt/>

## Construction Management Certificate

**Info Session**

Tuesday, January 12

7 - 8pm

Online via Zoom

RSVP to receive your Zoom join link:  
[sonoma.education/ncbeinfo21](https://sonoma.education/ncbeinfo21)

**Spring Classes Start**

Tuesday, February 9

- California Construction Law
- Finance & Operations in Construction
- Introduction to Engineering Construction

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## Employers challenge California's emergency temporary standards

Retailers and small business owners say the state overreached.

[David Sparkman](#)

Employer groups are suing the state of California over sweeping emergency temporary standards (ETS) dealing with COVID-19 in the workplace that were issued at the end of November by the state's Division of Occupational Safety and Health (Cal/OSHA).

This legal challenge could have impact far beyond organizations with employees in California. President-Elect Joe Biden's team has promised that the federal government will adopt nationwide ETS based on standards already adopted by states like Virginia and Oregon as well as California. The AFL-CIO strongly criticized the federal Occupational Safety and Health Administration (OSHA) for not adopting such standards under the Trump administration.

The lawsuit alleging legal overreach by state employment safety agencies was filed Dec. 16 by the National Retail Federation (NRF), the National Federation of Independent Business and three individual small business employers located in the state. They assert the new rules were imposed with little advance public notice or opportunity for

comment on employers already struggling under other state and local pandemic restrictions.

*"With this emergency rule, the state is shifting more of the cost of public health and safety onto the backs of employers, many of which have been instructed to close at differing times this year,"* says Stephanie Martz, NRF's chief administrative officer and general counsel. *"Even the most well-intentioned employer could find itself unable to implement these costly rules and be forced to close. Job losses will accelerate as businesses close in communities large and small."*

The groups told the court that Cal/OSHA took these steps in the face of what they termed a complete absence of data about workplace exposures to the coronavirus and how such exposure could be dealt with effectively. Instead, they said the agency chose to depend on speculative conclusions about the effectiveness of existing COVID-19 safety programs.

[MORE ON PAGE 4](#)

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## Employers challenge California's emergency temporary standards

FROM PAGE 3

In particular, the suit challenges the COVID-19 testing requirements imposed by the ETS, which apply equally to employers with five or 5,000 employees and do not provide for adjustment in threshold levels for employers of differing sizes. The employers observe that the ETS also shifts the burden of testing from public health officials to employers, although no data or science connects COVID-19 spread in the workplace.

The employer groups also assert that those provisions included in the ETS that attempt to regulate wages and employee benefits lie beyond the lawful jurisdiction of Cal/OSHA. Specifically, they argue that Cal/OSHA did not have legal authority to require paid leave, which could result in limitless leave for employees and confusion with a recently passed state law as well as other leave-related legal obligations.

The employers also accuse Cal/OSHA of violating their due process rights because the standards arbitrarily and capriciously require that employees be excluded from the workplace with the potential for creating ruinous losses of productivity and revenue. At the same time, the ETS

requires these employers “to pay the full costs of the labor that they needed, but were denied, all without having engaged in reasoned decision-making,” they say.

Another criticism is that the ETS fails to address employees who are immune from COVID-19 because they were recently infected and recovered from it. The standards apparently require that the employees be tested, removed from the worksite, and then quarantined—in spite of the fact that they are not at risk from the virus and they are not a risk to their fellow workers.

The employers point out that Cal/OSHA also failed to take into account the nationwide rollout of a comprehensive vaccination program that was already underway at the time the rules were being finalized. As a result, the ETS does not address the use of vaccines or say what should be done with employees who are immune from the virus due to vaccination.

Cal/OSHA even admitted that the standards were so hastily adopted that they would require almost immediate “clarification” through FAQs and guidance statements from the agency, which the agency has yet to issue, the law firm of Seyfarth Shaw revealed in its analysis of the lawsuit.

“In its rush to regulate, Cal/OSHA has failed to acknowledge the continuing efforts and safety protocols put in place by retailers to protect their workers and customers, not to mention the extensive reopening criteria developed by the governor,” Martz says. “Instead, Cal/OSHA has improperly exercised its emergency power by imposing costly and confusing regulations with little notice and no substantial opportunity for employers to participate in the process.”

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# SWPPP's Workshop

With the rains coming, keep your site clean and bank account healthy by attending this workshop for stormwater and erosion control issues. The focus will be on residential and commercial building sites in Sonoma County.

Please join us for an informative, complimentary 2- hour webinar for ECA and NCBE Members.



**Wednesday, January 20th**  
**12 pm—2 pm**  
**Via Zoom**

## **Speakers:**

***Mary A. Larsen, President  
Stormwater Specialists***

***Bob Oller, City of Santa Rosa  
Quality Control Associate***

***John Mack, Natural Resource Manager  
County of Sonoma Permit and Resource Management***

This webinar will be free to NCBE and ECA members, but we need you to register in advance. Once registered, the Zoom invitation will be sent to you.

**Please send your RSVP to**  
**Kassandra@ncbeonline.com**  
**Phone: (707) 542-9502**

## Deadline extended to apply for a CA Relief Grant

The deadline to apply for the CA grant relief has been extended to January 13 at 11:59 p.m.!

If you haven't already, you can sign up for an SBDC CA Relief Grant live webinar which will cover:

- Overview of the Grant Program
- Eligibility Requirements
- What the funding can be used for
- The Application
- Required Documents
- Who to Contact for Assistance

Webinars will be available at 11am daily on January 6, 7, 8, 11, 12, and 13 and there will be time to answer questions at the end.

[SIGN UP FOR A LIVE WEBINAR](#)

[APPLY FOR A CA RELIEF GRANT](#)

Do you have a question that you need answered regarding applying? Here's where to get help:

- Application and eligibility questions: Contact SBDC at 833-ASK-SBDC
- Website/password issues: Contact Lendistry at 888-612-4370 or [careliefgrant@lendistry.com](mailto:careliefgrant@lendistry.com)

### Cash incentives for new home development

The Advanced Energy Build program from SCP offers cash incentives up to \$4,500 per unit for high-performance home development.

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**JAN. 21 - APR. 8**

**\*NO CLASS ON FEB. 11\***

## ADLTED 744: INDUSTRIAL CONSTRUCTION METHODS

THIS COURSE PROVIDES AN OVERVIEW OF THE PRE-FABRICATION PROCESS IN CONSTRUCTION AND A COMPARISON TO TRADITIONAL CONSTRUCTION PRACTICES. STUDENTS WILL LEARN ABOUT THE PRODUCTION PROCESS INCLUDING EQUIPMENT SELECTION AND MAINTENANCE, INTERIOR/EXTERIOR PANELS AND COMPONENTS OF THE PRE-FABRICATION ASSEMBLY PROCESS.

**\*ONLINE VIA THE ZOOM APP\***

*THIS COURSE IS TAUGHT IN ENGLISH*

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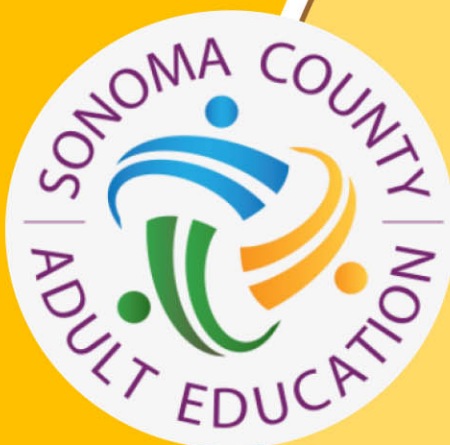
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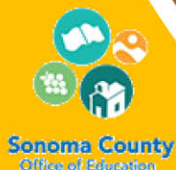
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**ADLTED 744:  
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**MARTES & JUEVES, 5:00 - 7:30 PM**

**21 DE ENE. - 8 DE ABR. \*NO HAY CLASE EL 11 DE FEB.\***

**ESL 724: INGLÉS VOCACIONAL**

**MARTES & JUEVES, 7:30 - 9:00 PM**

**21 DE ENE. - 20 DE MAYO**

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## Burning question: Should natural gas be banned?

### Push for decarbonizing California Wine Country meets construction industry resistance to natural gas limits

*By: Kathryn Reed, For The North Bay Business Journal*

In the march to power California without fossil fuels by 2045, the choice by some cities to ban natural gas has lit the fuse on a battle pitting environmental groups against developers, involving not only cost of home construction, but whether government has picked the wrong target.

“Going after housing is like trying to knock that flea off an elephant’s butt. It is not going to effect change,” said Craig Lawson, president of the North Coast Builders Exchange board and owner of CAL Custom Building Services in Santa Rosa. The general contractor has been building homes in the North Bay since 1979. He would prefer people were tackling the harder issues like transportation that would have a greater environmental benefit based on that sector’s greenhouse gas emissions.

The battle has already led to lawsuits and concessions. Windsor adopted a natural gas ban for new construction ban in 2019, joined by neighboring Sonoma County cities Santa Rosa and Healdsburg. Those bans were approved by the California Energy Commission.

Even though the Windsor Town Council on Wednesday is expected to rescind its code that mandates future residential construction contain all electric appliances, the issue may not die with that vote.

“The settlement does not preclude the town from considering a similar ordinance in the future,” Town Manager Ken McNab told the Business Journal.

Repealing the regulation is part of the settlement agreement with developers Bill Gallaher and Windsor-Jensen Land Co. Both filed lawsuits to stop the regulation from taking effect. While Gallaher also filed suit against Santa Rosa over a similar ordinance, the council voted to continue the legal battle. Healdsburg adopted a hybrid model that allows new homes to use gas cooktops and fireplaces.

Construction experts cite California Energy Commission numbers that say residential housing accounts for 7% of greenhouse gas (GHG) emissions, compared with

[MORE ON PAGE 10](#)



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## Burning question: Should natural gas be banned?

### FROM PAGE 9

transportation at 41% and industry at 24%. They say their industry is not a major contributor to the climate change, which some scientists say is accelerated by those emissions.

Contractors agree banning natural gas will drive up construction costs, could leave people in the dark and cold during power outages, and will limit people's choices when it comes to the appliances they use.

Proponents of requiring all electric homes say the environment will be better off without natural gas, energy bills will be lower, and the health benefits from reducing emissions are measurable for people and the planet.

*"Natural gas is mostly methane and 25% times more harmful than (carbon dioxide). When it leaks, it's very harmful to the climate,"* Geof Syphers, CEO of Santa Rosa-based Sonoma Clean Power, said. *"If we don't at least meet or exceed (the state's goals), all of our current science says more and more of California becomes unlivably dangerous. There is no way to be lawful and compliant without phasing out natural gas."*

He said it's what needs to be done before the bigger items are tackled: *"Let's do the easy stuff, like not adding more gas to new construction."*

Sonoma Clean Power is a customer-owned public utility serving the residents and businesses in Sonoma and Mendocino counties; except for Ukiah and Healdsburg which have their own municipal power programs. Customers pay the agency for electric generation, and PG&E for delivery and maintenance of its power poles and wires.

*"There is only so much clean and efficient gas we can get. It will not get us to the goals we have,"* said Alice Havenar-Daughton with Marin Clean Energy. MCE provides electricity to more than 480,000 customers in Marin and Napa counties, unincorporated Contra Costa County and 13 cities, and to Benicia.

PG&E, the main supplier of power to the North Bay, plans to limit exploration for new gas because of the state's carbonless energy mandates.

However, Ari Vanrenen, spokeswoman with the utility, said, *"Natural gas remains a critical and essential resource to Californians, supporting households and businesses with affordable energy used for heating and cooking, manufacturing and transportation. Beyond new construction, PG&E believes a multi-faceted approach is needed to cost-effectively achieve California's greenhouse-gas reduction objectives, including both electrification and decarbonizing the gas system with renewable natural gas and hydrogen."*

### MORE ON PAGE 11

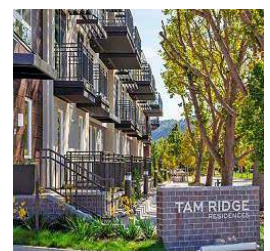


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## Burning question: Should natural gas be banned?

[FROM PAGE 10](#)

### Economics of gas and electric

A nonprofit contractors' association that provides services and representation to construction-related firms in Sonoma, Mendocino, Lake, and Napa counties, NCBE calls these new city ordinances "reach codes" because they reach beyond the state's requirements for construction.

*"We have opposed them because of the minimal good it does and it's punishing the new homebuyer who might want to cook with gas, and might want a gas fireplace. Our objection is there is so little effect on the environment, and all electric has the potential to raise the cost of construction on a new home by \$5,000 to \$10,000. Why do that when there is such an important need for new housing?"* asked Keith Woods, the organization's CEO. *"For the government to mandate this is frustrating to us."*

Homes built pre-1980 have older, non-efficient appliances unless they have been updated by the homeowner; this includes gas and electric. Legislation

regarding these issues was not passed in California until the late 1970s. New rules are always affecting the housing industry, like how solar panels are required on all new construction as of Jan. 1, 2020.


Both sides throw out figures when it comes to what the added costs or savings could be for a new home to be all electric, what those appliances will cost, as well as the cost of using gas vs. electric. That is a large part of the problem, knowing whose numbers to believe in order to determine what is cost-effective.

One issue is that most electric bills are based on a tiered system. After the flat rate customers are charged based on usage, with those using the most electricity charged a higher rate. That is why going all electric today is likely to be an expensive proposition.

The American Gas Association contends, "Households that use natural gas for heating, cooking and clothes drying save an average of \$874 per year compared to homes using electricity for those applications."


But not having to put in gas lines lowers the cost of home building, according to the Sierra Club.

[MORE ON PAGE 12](#)



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## Burning question: Should natural gas be banned?

**FROM PAGE 11**

*"With new construction the cost of building new housing will be significantly less, saving \$6,000 on single family housing if it's all electric and about \$15,000 on multi-family. The savings come from not hooking up the gas,"* Rachel Golden, campaign representative on building issues for the Sierra Club, said.

### Considerations when making changes

As with any change, there are consequences. While Marin Clean Energy is a proponent of all electric homes, the company knows it needs to be cognizant of potential negative outcomes.

*"There is a lot that needs to get us (to all electric homes) so folks are not left behind in less clean homes and with a higher bill,"* Havenar-Daughton with MCE said.

The concern is people with money can afford all electric upgrades, thus leaving low-income people with natural gas. If fewer people are using gas, the price will inevitably go up because there would not be as many people to split the expenses associated with supplying the fuel.

*"Equity is a complicated issue. One factor is stranded assets as more and more homes use electricity; who is paying to maintain the gas infrastructure? It's the people who use the gas,"* Havenar-Daughton said.

Cultural considerations are also a component when talking about eliminating gas for cooking. An open flame is the best way to cook a poblano pepper, while woks often require gas. Whether a backyard propane barbecue will suffice remains to be seen or if other options come into play.

Havenar-Daughton believes the way to get cultural acceptance is by running pilot programs to get people acquainted with electric cooking devices and obtain people's feedback. MCE has been conducting a pilot program for the last three years with low-income households throughout its four-county service area. Gas appliances have been traded in for electric. The study will compare emissions, energy consumption, and the cost of gas vs. electric. The conclusions are expected in April.

Syphers, with Sonoma Clean Power, also believes more pilot programs like what MCE is doing need to be conducted; possibly starting with retrofitting a few homes and increasing to an entire neighborhood to get real data.

SCP in the aftermath of the 2017 Tubbs Fire in Santa Rosa created a program to lend induction cooktops to homeowners. This is what the future of electric looks like, not the old coiled burners. It's a flat surface that is hot right away, but is not suitable for all cookware. Syphers said 80% loved the induction stoves, 15% not so much.

Not everyone is convinced homebuyers want all-electric, and instead would prefer to let the individual decide.

**MORE ON PAGE 13**

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## Burning question: Should natural gas be banned?

**FROM PAGE 12**

Rob Koslowsky, an electrical engineer by trade who is an advocate for not going all-electric, lost his family's home in the 2017 Tubbs Fire and rebuilt in Cloverdale where restrictions were less stringent. He has been outspoken at various meetings, and has challenged facts and figures presented by the all-electric proponents.

*"I'm not against going green, but it should be a choice, especially with the price of housing in California."*

### Life with all electric

Syphers, with Sonoma Clean Power, acknowledges it would be impossible for the state to go all electric today because the storage capacity for renewable energy does not exist. That is why his agency is working with other community choice aggregation entities to form a joint powers authority in order to procure large battery facilities.

*"The amount of storage California needs is really significant," Syphers said. "Anything that can deliver energy to the grid for eight hours or longer is rare in California. There are not that many batteries in California right now."*

Batteries are needed to store the renewable energy when it is not immediately needed on the grid. It is becoming common that as solar farms are developed outdoor battery facilities are built on-site. This makes for more efficiency and less transmission issues, according to industry officials.

But what happens when the power goes out? Smoke-filled days from fires reduce solar output. When the wind dies, that renewable source is not an option. Then there are the rolling blackouts that power companies have been using to ensure the grid has enough power.

*"Natural gas provides critical electric generation by filling power supply gaps when renewable resources are not available, especially during winter peak periods," PG&E's Vanrenen said.*

A generator would be the solution in an all-electric house. This, though, is an additional cost that not everyone can handle.

*"Let's talk about what happened during the fires. PG&E did extended power outages. I live in Oakmont. The power was out for 10 days. If you are fortunate enough to have solar on you roof and back up batteries, they are only good for three days," home builder Lawson said. "Whereas if you were not evacuated and were just in a power outage, your gas furnace still works, gas water heater, gas range, and gas fireplace."*




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## Culture shift: How women-owned businesses are changing remodeling

Though women make up a small percentage of business owners in the industry, their use of innovative leadership styles and technology may reshape the industry.

*By Annie Cebulski*

Michelle Lamb, now the owner of Better Home Texas, spent years at her former company. She was next in line to take over, and the president was stepping down. The president called her in and said, *“I can’t have you run my business. I’d never imagined having a woman as the president of my company.”*

Fast forward to 2020, and Lamb has started her own home improvement company—in the pandemic. Though it may seem crazy, her business experience, approach to company culture, and hard work have put Better Home Texas on track to hit \$1.2 million in sales by its first year of operation.

Only around 8.5% (59,580) of construction businesses owners who responded to the 2018 Annual Business Survey were women, compared to the roughly 77% (542,426) of construction business owners who were men, according to

U.S. Census Bureau’s data from 700,453 respondents who identified their gender. The rest, roughly 14%, identified their business as equally male/female owned (98,446). But when you zoom out, women are actually making headway in business ownership. Nationwide, women owned approximately 20% (1,118,863) of all employer businesses (5,601,758), and that number is trending up based on previous surveys. Though remodeling lags behind healthcare and social assistance industries, the two sectors with the most women-owned businesses, it is still sees the benefits of increased diversity with people like Lamb starting companies.

Building a business from the ground up isn’t something most people do on a whim. A stable job at an existing company would be the path of least resistance and lowest

[MORE ON PAGE 15](#)

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## Culture shift: How women-owned businesses are changing remodeling

[FROM PAGE 14](#)

chance of failure. When founding remodeling businesses, many women come with a vision to create something they cannot easily find in the industry.

### Creating a new kind of culture

Lamb built Better Home Texas with company culture at the forefront. She says she has been at companies with “zero enthusiasm” and wanted to provide an environment that didn’t just care about the bottom line, but uplifted employees right off the bat with benefits, profit-sharing, and equity after five years.

*“I’ve been in businesses where you knew we had a good year because the owner would show up in a new Rolls Royce. The Christmas party didn’t change. There were no year-end bonuses,”* says Lamb. *“Employees did their job and were grateful for their job, but the profit was the owners’ and that was that.”*

Lamb’s idea of a healthy company culture extends to the way employees treat clients. Instead of only focusing on the details of the job, Lamb also takes into consideration clients’ emotional needs and comfort—especially safety measures that may be taken for granted without a female perspective. For example, when she finds out that the homeowner is a single woman, she makes sure to show up

to the appointment, which she says makes a huge difference.

*“I’ve had several women say, ‘Oh, I was so nervous about somebody coming to my house, you know?’ and ‘I’m so glad you were the one that came,’”* Lamb says. *“It’s just the little things and being cognizant of your clients’ needs.”* In this vein, she also does not use subcontractors and only hires employees that pass a background check, even though it takes more effort on her part.

Creating a good company culture isn’t a one and done process. Ashley Wainscott, founder of Simply Sold [now Simply Home] in Austin, Texas, wanted to be part of a company that promoted physical and emotional wellbeing. Not finding one locally, she started her own.

Now, the company is rebranding as Simply Home, so they’re revisiting their culture document that expands on original values. They’ve rewritten the document three times as the company has grown. Though the content is similar, each iteration updates wording to reflect lessons learned.

*“We try to not veer too far off from ‘why,’ even though we’ve grown and expanded,”* says Wainscott. *“Why do we get up every day? Why do we do what we do? Why do we*

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## Culture shift: How women-owned businesses are changing remodeling

[FROM PAGE 15](#)

*serve our community? [Revisiting these values] puts some lighter fluid on the fire."*

### Innovative tools for hiring the right team

Good culture starts with the right team. Bolster, a luxury design-build firm in New York City, invests thousands of dollars into finding the right candidates that align with their values, according to co-founder Anna Karp. It is crucial to find the right hires because even if someone is a top performer, Karp says that employees can erode the entire company culture if they are dishonest. *"You can coach a skill,"* Karp says. *"But if someone is missing a value, there's nothing you can do."*

For years, the company relied on using contracted recruiters, but recently they transitioned to Breezy, a hiring platform. This platform allows hiring managers to track a candidate's progress, give internal feedback on applications, and score them based on the candidate's strengths and evidence of work. By taking ownership of the process, Karp says they have been able to quickly test for the people they

want for the skills that they need. From there, the employee is put on a 30-day probationary period to ensure that it's a good fit for both the employee and the company.

Wainscott places a high premium on finding the right candidates after realizing it can take a significant amount of time to do damage control after a bad hire. Inspired by her love of self-improvement books and psychology tests, Wainscott pays for personality and behavior tests to screen potential hires. *"This process gives you better insight instead of spending 90 days or six months with somebody to find out who they really are and how they act in a workplace,"* she says.

The company uses open-ended interview questions as well as quizzes that quantify how candidates tend to lean in certain scenarios, which Wainscott says have been spot on in their predictions.

### Investing in employees for the long haul

Even if you find a perfect diamond, polishing it can increase the shine.

What sets Bolster apart is the potential for upward mobility. Karp says that Bolster provides coaching and

[MORE ON PAGE 17](#)

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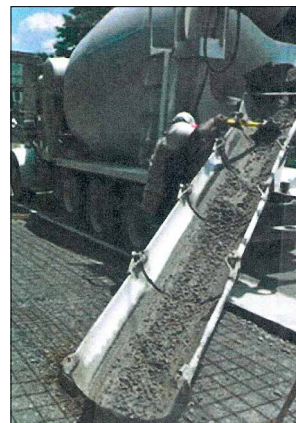
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## Culture shift: How women-owned businesses are changing remodeling

**FROM PAGE 16**

programming not just for company executives, but also for the tradespeople and managers so they can grow their skills. Because of those opportunities, employees generally stay with the company long term. *"We want people to grow within the company."*

Karp says they're making that dream a reality by giving enthusiastic employees the chance to run small projects even if they haven't done it before to gain experience. If they prove themselves, they can then take on greater responsibility and larger projects. *"We have two people that started in general labor positions that are now build-managers-in-training. We have had someone start as a driver move to general labor, and we've had a skilled tradesman who is now a foreman,"* she says. *"People don't generally leave Bolster."*

At Simply Sold, Wainscott sees employee development as improving the whole self. Each team member reads the book *"Difficult Conversations: How to Discuss What Matters Most"* (Stone, Douglas; Penguin Books; 2010), and then employees discuss the book as a team. Lately, they have also introduced new workshops about topics such as playing the victim, procrastination, and ownership of mistakes. By airing these issues out in the open, Wainscott says they can tackle them as a team and move past them. This also gives new hires the chance to start off on the best foot possible by nipping issues in the bud.

*"Other companies don't have these super transparent conversations,"* Wainscott says. *"We can be real together. We don't have to pretend not to have flaws."*

### Positioning female perspective as a strength

A knee-jerk reaction for women starting a business is to try to create a company brand that blends into the industry and masks their gender, but for Lamb, authenticity was

paramount. She didn't start off explicitly advertising her business as woman-owned, but the brand spoke for itself: Her office features bright teal and coral-lipstick wall paint, a garden she planted herself, and encouraging notes for employees in the restrooms while her website dons soft, cheery colors.

*"We created an environment so when potential employees come to interview, they say, 'Oh, this is the place I want to be!' or 'This is not my jam,'"* Lamb says. *"We set that precedent at the beginning with not just what we say [on the website], but also how we present ourselves."*

Lamb says a great first impression will pay off in the long run by gaining the trust of potential clients and hires, especially since the office is by a busy road where anyone can pop in. Because of how well put together the office and website are, clients and vendors have been surprised to find out that they've only been in business for less than a year. She says that she has actually gained partnerships with manufacturers and business from homeowners who were looking for women-owned businesses, and now she positions that aspect of her brand as a strength.

At Simply Sold, Wainscott uses her perspective to connect with her team and make them feel heard. She says women tend to express kindness and look for connection, two attributes that can help boost morale. *"Men love being talked to and recognized just like any human would, but when you're in a working relationship in this industry, a lot of times these guys get worn down on job sites and don't feel seen or appreciated,"* Wainscott says. By taking just five to 10 minutes to talk to team members, make a few jokes, and tell tradespeople that they're appreciated, Wainscott says that business owners can change the workplace dynamic in a way that leads to more trust between management, employees, and the trades.

*"Women can thrive by utilizing their gifts, but also by being very confident in who we are as a feminine body,"* Wainscott says. *"I think that's what really made me super successful."*



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## OSHA's Use of drones may expand in 2021

New FAA rule makes it easier for inspectors to fly drones over people.

*David Sparkman, EHS Today*

On Dec. 28, the Federal Aviation Administration (FAA) announced a final rule allowing operators to fly small drones over people under certain circumstances. According to attorneys for the Seyfarth Shaw law firm, this new rule could lead the Occupational Safety and Health Administration (OSHA) to push for the increased use of drones in worksite inspections.

OSHA inspections must adhere to what is called the “plain sight rule.” That means anything the compliance officer lawfully observes during the inspection can be the basis of a citation. As you might well expect, the scope of what is in plain sight expands considerably when drones are used by inspectors.

However, agency policy also bans compliance officers from exposing themselves to hazards during inspections, which for example often means limiting their ability to climb ladders and otherwise observe conditions on towers or hard-to-reach places.

In recent years, OSHA has sought to get around those limitations by photographing and videoing worksites with airborne drones, also called Unmanned Aircraft Systems (UAS). OSHA's enforcement policy concerning the use of UASs in inspections currently requires the agency's inspectors to obtain express consent from the employer prior to using a drone, the attorneys note.

One dilemma for the employer is whether the inspectors will then make the decision to widen the scope of the investigation if an employer won't allow the use of drones. If an employer does choose to allow OSHA the use of

drones during an inspection, attorneys recommend getting involved from the outset in the development of the flight plan and attempt to get copies of any data that is collected.

As of now, no regulation has been written compelling employers to allow the use of drones, and many employers choose not to allow them, citing safety hazards of drones falling on employees and other individuals near the worksite.

Two years ago when OSHA began exploring the use of drones in inspections as a regular enforcement tool, it approached the FAA about obtaining blanket authority to do so, which it apparently has not yet obtained. Prior to 2018, OSHA most frequently deployed drones following accidents at worksites that had been considered too dangerous for OSHA inspectors to enter, included an oil drilling rig fire, a building collapse, a combustible dust blast, an accident on a television tower, and a chemical plant explosion.

The FAA's new final rule amends its regulations to “expand the ability to conduct operations over people, provided that the operation meets the requirements of one of four operational categories” described in a newly established standard. The agency described the change as “the next step in the FAA's incremental approach to integrating UAS into the national airspace system.”

Because the FAA's new rule expands the circumstances under which drones can operate without a waiver or exemption, it could open the door for OSHA to change its policy and use drones more freely at worksites—without employer consent—if OSHA can deploy equipment

[MORE ON PAGE 19](#)



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## OSHA's Use of drones may expand in 2021

**FROM PAGE 18**

complying with one or more of the new criteria, the attorneys point out.

The two agencies also may engage in a collaborative initiative in the future to allow for even more expanded use of drones by OSHA personnel.

According to the Seyfarth Shaw lawyers, the FAA

declined invitations from the National Institute for Occupational Safety and Health (NIOSH) to join it in developing a performance-based, tiered approach for operations of small unmanned aircraft near people at worksites to minimize the occupational risks, or to collaborate with OSHA for now.

However, they forecast, *"OSHA may seek to have a greater voice in partnering with the FAA to develop specific rules governing drone use in workplace inspections, particularly if the FAA's 'incremental approach' continues to allow for more flexible drone use."*



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## The craziest places we've trained

*By: Kim Gusman, President & CEO, California Employers Association*

When CEA says we come to you, we really do. We go just about anywhere, at any time of the day, to provide first-rate training for employers and their employees. As a long time trainer myself, let me tell you that it truly takes an experienced and skillful trainer to pull off an engaging presentation and keep an employee's attention, especially when you're outside of a traditional office setting!

As we end this crazy COVID-19 year, I asked our HR Directors and our Training & Development team to share with me some of the craziest places they've conducted a CEA training or investigation. From garages to backyards and in front of bears and burros, the answers were funny and surprising:

*"I conducted an EEOC investigation in the stock room of a retail store while sitting on a file cabinet, surrounded by thousands of shoeboxes."*

*"I gave a training next door to a trash and recycling center. I had to compete for the attendees' attention with the large cranes that were dumping trash and the loud trash incinerators at work."*

*"A casket company requested a leadership class. The employees were sitting on boxes in a warehouse surrounded by hundreds of empty caskets, and many were open. Creepy!"*

*"I was at a nursery nestled on some beautiful hills where wild burros live. These burros are in their protected natural habitat and free to roam. The training was outdoors with the burros in the distance. The employees said, 'Don't mind them, they do come*

*on the property, but we just shoo them away.' I've never taught a class with wild burros watching!"*

*"A construction company asked me to present a training inside of an abandoned home — it worked, but was an unusual training room setting."*

*"I conducted a harassment prevention training in the working bay of an automotive repair shop with cardboard taped over the roll-up door as the screen for the powerpoint."*

*"I taught for an ice cream shop, in the warehouse. They used a sheet for a screen, it was cold and on a Saturday to boot!"*

*"Freezing cold warehouse with 100+ people, and no microphone — I learned to check into that for future trainings."*

*"I presented a training outside on a patio, in an owner's backyard, with no shade, in the summer!"*

*"I was presenting to a contractors association in Grass Valley. During the presentation we had live bears visit us — really. I later joked that I should have asked for hazard pay!"*

*"I recently gave an outdoor training, in a parking lot, surrounded by the company's work trucks. Some people sat on the trucks and others on the ground, while I kept them engaged with Harassment Prevention Training. It was 39 degrees outside at 8 am. Brrr ..."*

Goodbye 2020 and Happy New Year to all of you!



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## Capitol Connection Q&A for Contractors

By Shauna Krause  
[Capitol Services, Inc.](#)

Shut down, update! Until then I remain open and ready to assist. Let's start with a couple cautionary tales from contractors ...

All CSLB testing centers and public counters are still currently closed due to COVID-19. They will remain closed through January 15th and possibly longer. I will continue to update readers as the situation continues to be reassessed. Please note the CSLB is still continuing to process applications.

**Q:** Our former Qualifier left the Company back in July 2020. About a month later, I applied to replace him on the license. The CSLB wasn't initially satisfied with my work experience, but after several weeks of back-and-forth communications and gathering the documentation they requested, my application was accepted.

However, by the time I was approved to take the exam, my 90-day deadline for replacing the qualifier was almost

up. The technician reviewing my application suggested that I request a 90-day extension, which I did and was granted an extension until January 11, 2021. My exam was originally scheduled in December, but then the CSLB had to close the testing facilities. They had contacted me and re-scheduled my exam for January 10th, but now I'm seeing that isn't going to happen either. Are they granting any further extensions due to this situation that is out of Contractors' control? We really cannot afford for our license to go suspended due to lack of Qualifier.

**A:** Yes, the CSLB is making certain exceptions on a case-by-case basis. I would suggest putting your request for an additional extension in writing and again sending it to your technician. They are sensitive to the fact that our current situation is beyond our control. Their staff is contacting applicants with exams scheduled during this closure to discuss re-scheduling options.

**Q:** I had applied for a "B" (General Building) contractor's license last year. The CSLB eventually rejected my application because I could not show proof of "framing" or structural work. I fully admitted that my experience

**[MORE ON PAGE 22](#)**



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## Capitol Connection Q&A for Contractors

### FROM PAGE 21

is all remodeling and home improvement work, however I do have over ten years of experience. The deputy reviewing my application suggested that I either apply for each separate specialty license that I will be performing (painting, cabinetry, plumbing, etc) and take each exam, or he informed me of the new classification the CSLB would be adopting as of January 2021, which he said was a "B-2" Residential Remodeling classification. I opted for waiting. Being that we are now past the 1st of the year, I called the CSLB to inquire about re-applying and the person I spoke with had no idea about the new classification and said the staff had not been informed of any such thing. Do you know anything about this?

**A:** The CSLB is adopting the Residential Remodeling classification, and while it goes into effect January 1, 2021, the CSLB will not be accepting applications for the new classification, nor have an exam available until later in the year. I've heard through the grapevine it could be as soon as May, but it's quite possible it won't be an option until even later in the year.

Finally, don't forget the Covid rules have closed public counters and exam centers so some delays can be expected, so definitely not 'business as usual'.

While knowledge is power, knowing where to go for the answers is half the battle. Get expert assistance immediately when you call 866-443-0657, [email info@cutredtape.com](mailto:email_info@cutredtape.com), or write us at Capitol Services, Inc., 3609 Bradshaw Rd, Ste H, #343, Sacramento, CA 95827. Research past columns at [www.cutredtape.com](http://www.cutredtape.com).

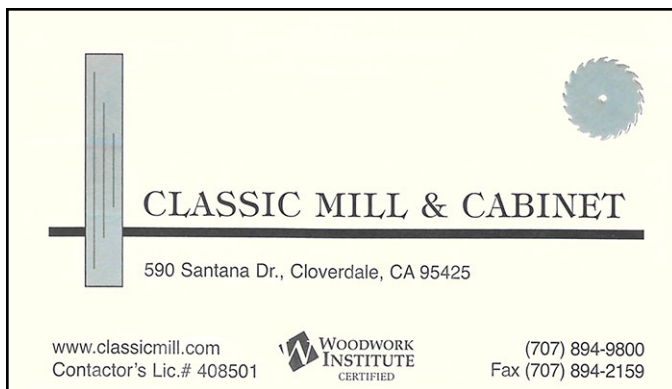


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## **Classified Ad Listings – Free to NCBE members**

### **HELP WANTED**

#### **HOUSING NAVIGATOR – EXTRA-HELP**

\$30.28 - \$36.80/hr Bring your marketing, negotiation, and property management related experience to the County of Sonoma Community Development Commission (CDC). Join the CDC in their mission to create access to affordable housing! For more information, including minimum qualifications, & to apply, visit, [www.yourpath2sonomacounty.org](http://www.yourpath2sonomacounty.org) or call (707) 565-2331. EOE Apply Now!

#### **CA CERTIFIED ENGINEER-IN-TRAINING, CIVIL ENGINEERING & CA LICENSED CIVIL ENGINEER**

\$7,332 - \$10,520/Mo. Bring your CA Certified Engineer-in-Training (EIT), Civil Engineering or CA Licensed Civil Engineer (PE) exp. to the County of Sonoma. Permit Sonoma is currently recruiting to fill a full-time civil engineering position at either the CA Certified EIT or CA Licensed Civil PE level. For more information, including minimum qualifications, & to apply, visit, [www.yourpath2sonomacounty.org](http://www.yourpath2sonomacounty.org) or call (707) 565-2331. EOE

### **MEMBER WEBINARS**

#### **Advanced Energy Center Contractor Orientation (Residential/Commercial)**

Monday, January 11, 12-12:30pm [Click here to register](#)

#### **Advanced Energy Center Contractor Course: Grid-Interactive Heat Pump Water Heaters (Residential/Commercial)**

Tuesday, January 12, 7:30-8:30am [Click here to register](#)

Wednesday, January 13, 12-1pm [Click here to register](#)

#### **How To Do Business With The State Of California**

By California Office of Small Business and DVBE Services

Wednesday, January 13, 10am

#### **Contracting with California: I'm Certified, Now What?**

By California Office of Small Business and DVBE Services

Thursday, January 14, 2021 10am

#### **Advanced Energy Center Contractor Course: On Bill Financing (Residential)**

Thursday, January 14, 7:30-8:30am [Click here to register](#)

Friday, January 15, 12-1pm [Click here to register](#)

#### **Virtual Incident Procurement: Forest Service Procurement**

Thursday, January 21, 10am

#### **Contracting with Local Government Shasta County, California**

Thursday, January 28, 10am

### **CLASSIFIED ADS ARE FREE TO NCBE MEMBERS**

Email a 35+/-word, job offer, or a link to your company job board. Ads must be construction-related and text-only. Please include the job title & a contact person. Email your ad to [deb@ncbeonline.com](mailto:deb@ncbeonline.com), by Wednesday at 5 P.M. and we'll get your ad in *Building News*.

Please note: Residential property listings may not be included in the free classified ads. We do offer our members very low ad rates for this purpose, see your weekly Building News. You'll find the ad rate/size sheet on the page following the classified ad section.





# Building News Advertising Rates

## Display Ad

Ad Size	Ad Type	Weekly NCBE Member	Weekly Limited-Member*	Quarterly NCBE Member	Quarterly Limited-Member*
3.5" x 2"	Horizontal Business card	\$15	\$31	\$195	\$403
3.5" x 4"	Horizontal Front/Back Business card	\$30	\$61	\$390	\$806
2" x 3.5"	Vertical Business card	\$15	\$31	\$195	\$403
4" x 3.5"	Vertical Front/Back Business card	\$30	\$61	\$390	\$806
3.5" x 5"	1/4 Page Vertical	\$46	\$92	\$598	\$1,196
7.5" x 5"	1/2 Page Horizontal	\$92	\$185	\$1,196	\$2,405
7.5" x 10"	Full Page Vertical	\$185	\$370	\$2,405	\$4,810

## Sub Bid Ad

3" x 3.5"	Sub-Bid (E.O.E. ad)	\$24	\$48
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## Classified Ad (NCBE Members only)

35 words	Text only (3 week maximum)	FREE	Not available
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**Ad Deadline** – We need to receive your ad by Wednesday 5 P.M. to be included in the next publication.

**Ad Requirements** – A full-size, high-resolution (200ppi) pdf or jpeg file. We can resize your ad for you, if needed.

*Building News* is a weekly publication., emailed to its members on Monday morning.  
For any questions, please email [Deb Rourke](#) at NCBE, or call (707) 542-9502.

\* **Limited-Member ad rates** apply to all NCBE Limited Memberships, which include Worker Comp, Student & SS Limited Memberships. All advertising for Limited-memberships must be paid in advance.

**Non-Members** - May not advertise in any NCBE Member publications, including *Building News*.

# Industry Bulletin

## CONTRACTORS STATE LICENSE BOARD

9821 Business Park Drive, Sacramento, California 95827  
Mailing Address: P.O. Box 26000, Sacramento, CA 95826

**Get Information To Build On!**

800-321-CSLB  
[www.cslb.ca.gov](http://www.cslb.ca.gov)



Important reprint from a previous edition of *Building News*

**Please read before submitting ads to the “2020 Spring/Summer Home Improvement Guide”**

## Advertising: The Legal Rights and Wrongs

SACRAMENTO – Advertising is a way to catch the attention of new clients, especially during home improvement season. The methods to publicize a business can take many forms. Besides newspapers and radio, it can also be business cards, lettering on your truck, brochures, directories like the yellow pages and the Internet. The Contractors State License Board (CSLB) is offering some reminders about the laws in this area that effect contractors.

- **Contractor’s License Number must be on anything considered advertising**  
Licensed contractors are required to include their CSLB license numbers on everything from contracts, business cards, and yard signs to placards on commercially registered vehicles.
- **False Advertising**  
It is a misdemeanor to use false, misleading or deceptive advertisements to sell clients home improvements and other services. It is also illegal to make misleading claims or advertise prices that you do not intend to accept contracts for.
- **Advertising for work you’re not licensed to do**  
Licensed contractors are not allowed to advertise for construction work outside of the areas for which they are licensed.
- **Don’t advertise about bonding**  
Contractors are forbidden by law to advertise the fact that they are bonded. It could lead the public to believe there is a higher level of protection than might be the case.
- **Owner-Builders**  
If owner-builders use any signs, cards, or directories that imply they can be hired by the public for construction or home improvement, they become subject to the same laws as other contractors. B&P section 7027 also prevents owner-builders from advertising illegally.
- **Unlicensed Operators**  
Unlicensed operators can legally advertise for construction work or improvements if the cost of the work (labor & materials) is under \$500. But, they must state in the ad, that they are “unlicensed” and provide a written disclosure statement saying they are unlicensed. If an unlicensed operator advertises as a contractor in a directory such as the Yellow Pages, they face fines.
- **Fines**  
Fines for licensees who violate the laws can range from \$50 to \$2,000 depending on how egregious the act. The fines for non-license holders get much steeper, ranging from \$200 all the way up to \$15,000 for acting in the capacity of a contractor without having a license.

Get more information about advertising and advertising tips from the CSLB Web site [www.cslb.ca.gov](http://www.cslb.ca.gov) under (<http://www.cslb.ca.gov/forms/advertising.pdf>) A “Hot Lead Referral Form” can be downloaded on the CSLB Web site to report unlicensed contractors activity.





## **Viewing the Plan Room section of *Building News* is reserved for members of the NCBE.**

**This section includes local construction information and plans available in NCBE's onsite or online plan room, plus:**

- City/County Notices
- Mandatories
- Projects Out to Bid
- Septic Permits
- Building Permits
- New Projects
- Bid Results
- Legal Notices

### **... NOT A MEMBER?**

#### ***Additional NCBE member benefits include:***

Workers' Comp Insurance	Group Health Insurance
Safety Training	Electronic Plan Room
Business-focused Seminars & Workshops	
Promotional Opportunities	
Networking Events & Community Service	

**If you are interested in becoming a member of the North Coast Builders Exchange, please call:**

**(707) 542-9502.**