



**SAN DIEGO COUNTY OFFICE OF EDUCATION
FACILITY PLANNING SERVICES
REGIONAL MEETING**

**Tuesday, February 11, 2003
9 – 11:30 a.m.**

**Joe Rindone Technology Center
6401 Linda Vista Rd.**

AGENDA

Introductions:

Tom Robinson/
Pat Zoller

San Diego County Office of Education

Labor Compliance Program

Overview of AB1506

Pat Zoller

San Diego County Office of Education

Approval and
Implementation of LCP

Proposed Regional
Approach for
Implementing LCP

Charter School Facility Program

OPSC Role

Lisa Constancio/
Elizabeth Dearstyne

Office of Public School Construction

CSFA Role

Lara Laramendi-Blakely

California School Finance Authority

CDE Role

C. John Dominguez

California Department of Education

DSA Role

Mahendra Mehta

Division of State Architect

DTSC Role

Shawna Chamber



Department of Toxic Substance Control

Closing Remarks

Pat Zoller



San Diego County Office of Education

Thank you for attending.



Facility Planning & Financing

Monthly Regional Meeting
February 11, 2003



<http://www.sdcoe.k12.ca.us/business/facilities/welcome.html>

Labor Compliance Program (LCP)

Presented by:

San Diego County Office of Education

Pat Zoller

Overview of AB 1506

- ⇒ Sponsored by the State Building and Construction Trades Council.
- ⇒ Signed by the Governor in September 2002.
- ⇒ Added Section 1771.5 to the Labor Code.
- ⇒ Requires school district receiving SFP funds to initiate and enforce a Labor Compliance Program (LCP).

Overview of AB 1506

(continued)

- ⇒ Requires the SAB to increase, no later than July 1, 2003, the per pupil grant amounts to reflect the increased cost to initiate and enforce a LCP.
- ⇒ Applies only to SFP projects for which a Notice to Proceed is issued on or after April 1, 2003.
- ⇒ All LCP must be approved by the California Department of Industrial Relations (DIR).
- ⇒ Requires school districts through their approved LCP to enforce the prevailing wage law.

Overview of the Prevailing Wage Law

- ⇒ **Who does the law protect?**
 - All workers employed on public works projects.
- ⇒ **What must public work contractors do to comply with the law?**
 - Maintain and furnish certified payroll records.
 - Pay the prevailing wage rate to all workers.
 - Comply with apprenticeship requirements.

Overview of the Prevailing Wage Law (continued)

- ⇒ **What is the prevailing wage rate?**
 - Established by DIR.
 - Published/updated twice a year.

Overview of the Prevailing Wage Law (continued)

- ⇒ How does an LCP enforce the law?
 - Monitors certified payroll records.
 - Conducts investigations.
 - Prepares audits and findings.
 - Obtains approval of recommended forfeitures from DIR.
 - Issues and serves notices of withholdings.
 - Defends withholdings in review proceedings and/or court of law.
 - Collects and disburses wages and penalties.

Establishing an LCP

- ⇒ Establishing an LCP is a two step process.
 - Step One – Get DIR to approve your LCP!
 - Step Two – Implement it!

Labor Compliance Program

- ⇒ Step One.
 - Get Approval.
 - Piece of Cake.
 - Department of Industrial Relations.
 - <http://www.dir.ca.gov/v/LCP.html>
 - SDCOE.
 - Pat Zoller, SD COE.
 - (858) 292-3884.
 - pzoller@sdcoe.k12.ca.us
 - Identify your LCP officer.

Working With DIR

- ⇒ Program Guidebook on DIR Web site.
 - Recommended application format.
- ⇒ Approved Antioch Unified School District LCP on DIR Web site.
 - Districts are encouraged to use the approved LCP as a template for fast approval.

SDCOE ASSISTANCE

- ⇒ Considered a possible group approved LCP.
 - Group approach appears to work best in the implementation of individual district LCPs.
- ⇒ SDCOE will provide:
 - LCP template.
 - Application form.
 - Board resolution to be on our WEB site early next week.

SDCOE ASSISTANCE (continued)

- ⇒ Piece a cake!
 - User-friendly.
 - Fill in the blanks.
 - Run some copies.
 - Take it to your board with the resolution.
 - Send to DIR via certified mail.
- ⇒ Ready for Step Two!

Labor Compliance Program (continued)

- ⇒ Step Two
 - Implement the Plan
 - Challenging but doable (with a little help from your friends)
 - Five "Easy" Pieces
 1. Educate
 2. Monitor and review
 3. Audit and investigate
 4. Enforce
 5. Report

Educate

- ⇒ Bid advertisement.
- ⇒ Contract document.
- ⇒ Pre-construction meeting.
- ⇒ Periodic information meetings and workshops.

Monitor and Review

- ⇒ Monitor submission of weekly certified payrolls.
- ⇒ Review certified payrolls.
- ⇒ Conduct construction site visitations.

Audit and Investigate

- ⇒ Audit payroll records to verify compliance.
- ⇒ Conduct an investigation when an irregularity is discovered or a complaint is filed.

Enforce

- ⇒ Submit audit/investigation findings to DIR.
- ⇒ Obtain approval of recommended forfeitures from DIR.
- ⇒ Issue and serve notices of withholding of contract payments.
- ⇒ Defend withholdings in review proceedings and/or court.
- ⇒ Collect and disburse wages and penalties.

Report

- ⇒ Annual report to DIR (required).
- ⇒ Must contain the following:
 - Number of public works contracts awarded using state facility program (SFP) funds and their total value.
 - A summary of wages due workers resulting from failure to pay prevailing wages.
 - Total amount withheld from contractors.
 - Total amount recovered through enforcement.
 - A summary of penalties and forfeitures imposed and withheld.
 - A special summary of all audits conducted upon request of DIR.
- ⇒ Annual information report to your Board (optional).

Labor Compliance Program (continued)

- ⇒ Regional Approach to Implementation
 - Group approach will work best in the implementation of each districts LCP
 - Each district will need to get an approved LCP from DIR
 - SDCOE
 - Will have a template
 - Based on Antioch's LCP
 - On our web page (90 pages)
 - <http://www.sdcoe.k12.ca.us/business/facilities>

Proposed Strategy

- ⇒ Develop LCP template that minimizes impact on districts.
- ⇒ Develop a group approach for implementation of the LCP.
- ⇒ RFP to establish a group rate for implementation services.
- ⇒ Create a "Menu of Services" for district use.
- ⇒ Allow districts to "customize" their implementation plan to fit their existing staffing and resource .

Critical Timelines

- ⇒ April 1, 2003.
- ⇒ Notice to Proceed prior to April 1, 2003.
- ⇒ Districts with projects to commence between April 1 and May 31st
- ⇒ 30 day approval from DIR.
