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NEWSLETTER
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March 31, 2023 ISSUE 27

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Membership in MCAC = Membership in MCAA
State + National = More membership Value!

California Subcontractor Rights to Resolve Out-of-State Disputes

Courtesy of [Porter Law Group](#)

It is not uncommon in the construction industry for an out-of-state general contractor to include a provision in a subcontract requiring a California subcontractor to resolve disputes outside the state of California, even though the work is to be performed within California. Fortunately, most California subcontractors are immune from this tactic. California law generally prohibits clauses requiring subcontractors to travel outside California to resolve construction disputes.

Full article [here](#)

Can I Be Required to Mediate, Arbitrate or Litigate a California Construction Dispute in Some Other State?
<https://porterlaw.com/can-i-be-required-to-mediate-arbitrate-or-litigate-a-california-construction-dispute-in-some-other-state/>

Zero Emission Rules on the Fast Track

*As previously reported, The [California Air Resources Board](#) (CARB) is developing regulations to move California vehicles and equipment to electric (aka zero emission) by 2045:

- 2035 - Passenger vehicles
- 2045 - Commercial trucks and construction equipment

MCAC has participated in multiple CARB workshops addressing these regulations and two common themes have emerged:

- 1) These rules are moving forward. There is no 'if'. Only 'when'. Hence, the *head in the sand* strategy is not going to work.
- 2) The requirements could kick in sooner than we think...and apply to smaller fleets than originally presented.

Some of the proposals under consideration:

- Medium and heavy-duty vehicles complete the transition to ZEVs by 2036 instead of 2045.
- 100 percent ZEV sales begin in 2036 instead of 2040 model year.
- Fleets with as few as 10 vehicles may be subject to the rules instead of those with 50 or more vehicles. *Fleets subject to the rule include those with Gross Vehicle Weight Rating (GVWR) greater than 8,500 lbs (such as Dodge Ram 2500, Chevrolet Silverado 2500, and the F-250, light duty Class 2 and above).*

The next CARB workshop is scheduled for April 27. MCAC will continue to follow and report developments.

*MCAC Zero Emission Rulemaking Background :

[MCAC September 2020 Newsletter](#) - California To Prohibit Sales of New Gas Vehicles in 2035

[MCAC 1.30.21 News Brief](#) - California Air Resources Board Proposal Targets Non-Electric Forklifts for Retirement by 2025

[MCAC 8.18.21 News Brief](#) - CARB Zero Emission Forklifts Slated for January 1, 2025

Welcome New Members!



- **Prime Building Materials, Inc.** - provides commercial and residential contractors and home owners with top quality building materials and products. Founded in 1995 and celebrating the recent grand opening of a [new design center](#) in 2023.

- **CMI Masonry - Contact:** Alfonso Vasquez | Placentia, CA
- **Thrasher Masonry - Contact:** Thomas Caldwell | Exeter, CA

Effective January 1, 2023, California added four new official state holidays to Government Code Section 6700:

- The date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene - Lunar New Year
- April 24 - Genocide Remembrance Day
- June 19 - Juneteenth
- Fourth Friday in September - Native American Day

Holidays upon which the general prevailing hourly wage rate for Holiday work shall be paid, shall be all holidays in the collective bargaining agreement, applicable to the particular craft, classification, or type of worker employed on the project, which is on file with the Director of Industrial Relations. **If the prevailing rate is not based on a collectively bargained rate, please refer to Labor Code Section 1773 and the following amended Government Code Section 6700 for the required holidays.**

March 15, 2023 Dept. of Industrial Relations notice [here](#) with full list of California holidays

CMU Checkoff Assessments Start April 1



After more than a decade in the making, the Concrete Masonry Unit (CMU) checkoff program assessment begins April 1, 2023. Chances are you

have already received notice of the assessment from your block producers. The checkoff rate is a penny per block sold and only at the first point of sale. Checkoff is a mandatory program for all block producers nationwide and is administered by the United States Department of Commerce. The Program is governed by a [Board of Directors](#) who will ultimately steward the industry funds. [Regional Advisory Committees](#) (RACs) are responsible for developing local and regional programs for submission to the Board for investment consideration. California falls under Region 5 and is represented, in part, by: Chair: Joe Kerrigan, Basalite Building Products, LLC
Vice-Chair: Thomas Finch, RCP Block & Brick, Inc
CA Members: Kurt Siggard of Concrete Masonry Association of California and Nevada (CMACN), Richard Rydel of Masonry Institute of America (MIA) and Ray Wetmore of Pacific Bay Masonry and current MCAC Immediate Past President.

About CMU Checkoff

The Concrete Masonry Checkoff (CMC) is an industry funded initiative to support education, research and promotion of manufactured concrete masonry units in the United States. concretemasonrycheckoff.org

INDUSTRY EVENTS

April 5, 2023 MCA San Diego Meeting - Miguel's - San Diego, CA

April 13-14, 2023 Concrete Masonry Assn of CA and NV (CMACN) Annual Meeting - San Diego, CA

April 28, 2023 MCAC 2nd Legacy Golf Tournament – Eagle Glen Golf Club – Corona, CA.

Registration [here](#).

May 20, 2023 Veneer Masters Competition - Nor Cal - OMEGA Plant - Sacramento, CA

June 19, 2023 MCA San Diego Golf Tournament - The Golf Club of CA - Fallbrook, CA

September 17-21, 2023 MCAA Midyear Meeting - Hershey, PA

September 21-23, 2023 Concrete Masonry Assn of CA and NV (CMACN) Annual Meeting - Monterey, CA

September 25, 2023 Masonry Industry Training Association (MITA) Golf Tournament - Victoria Country Club - Riverside, CA

October 7, 2023 Veneer Masters Competition - So Cal - OMEGA Plant - Corona, CA

October 21, 2023 Fastest Trowel / Skills Challenge - RCP Brick & Block - Murrieta, CA



April 28, 2023

Eagle Glen Golf Club
Corona, CA

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May 20, 2023

Omega Products International
Sacramento, CA

REGISTER / SPONSOR

MCAC FEATURES MEMBER BENEFIT PROGRAMS FOR YOU!



MCAC Members Saved \$6,025 on 2022/23 Dues by Participating in Insurance Program

Saint Moore Insurance Agency pays a portion of MCAC member dues for companies participating in the MCAC group insurance program. So, if your renewal is around the corner, the team at Saint Moore Insurance Agency (SMIA) is ready to help. See

if Saint Moore Insurance Agency can get you the coverage you need AND *save you some money. Saint Moore is MCAC's Preferred insurance Provider and brings decades of experience to meeting the needs of mason contractors. [Hear what other MCAC members have to say about Saint Moore](#),

*Saint Moore Insurance Agency provides discounted premiums and pays a portion of MCAC member program participant dues. **MCAC members saved a collective \$6,025.00 on their 2022/23 dues.**

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