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OC Vision

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OC VISION
C/O CLCA - Orange County Chapter
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Work-Life Balance

The busy season for our industry is finally here! I hope that everyone has a steady workflow. If you don't, now is a good time to evaluate why not.

As we embark on this busy season, I ask that you reflect and ask yourself one question... "Why am I in business?" Didn't we all get into this to be our own boss and have the freedom of time, or the opportunity to make as much money as we want?

For me, getting into the landscape industry was a simple choice because I had been exposed to it my entire life. When I started my business, I thought, "This will be easy; I know how to do the work." What I quickly learned was that knowing how to do the work and knowing how to run a business are two completely different things.

As owners, we tend to put in a lot of hours in the beginning because we're doing everything ourselves. We can be so focused on the business that we may not even notice how it's interfering with our personal life. As the business grows, we need employees to help with some of the duties and responsibilities. It is a MUST to delegate duties to employees for us to grow the business and have a healthy work-life balance.

We should also promote a healthy work-life balance for our employees. Maybe they want to grow within the company. As an employee works to climb the ladder to a higher role, they need to delegate some of their duties to newer employees. Support their efforts to reach a comfortable work-life balance in their own lives.

Work-life balance is a concept that describes the ideal of splitting one's time and energy between work and other important aspects of life. Delegation is key to preventing burnout and supporting a work-life balance, both for the owner and employees. Burn out oftentimes results in a high turnover rate in companies and sometimes leads the business owner to quit. You don't want that!

Remember why you started the business in the first place; to be your own boss and have the opportunity to control how your time is spent. Don't waste this opportunity. Prevent burn out and prioritize a proper work-life balance for you and your employees.

One last thing, I want to encourage you to participate in our monthly board meetings. That's where all the ideas are collected, and chapter decisions are made. You don't need to be a board member to attend. If you *do* want to join the board, we have some positions opening. Reach out to me to learn more or attend an upcoming meeting. And don't forget, next month is our baseball outing. We will be tailgating, enjoying tacos, and watching a baseball game at the Angels' Stadium in Anaheim. *Learn more below.*

For this month's book, though I am still reading it myself, I encourage you to read, *Traction, Get a Grip on Your Business*, by Gino Wickman. ~Sincerely, Sal.

Sal Hernandez
Pacific Breeze Landscape
Chapter President



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Find rates on page 9 of this magazine or visit the chapter's newly re-designed website at www.ccla-orangecounty.org for information. Call (949) 466-1222 with questions.

OC Chapter Baseball Outing Angels vs. Rangers on Sept. 4

A Join us on Saturday, September 4, for an action-packed evening filled with food, networking, baseball, and all around fun!! You don't want to miss this exciting excursion to the Anaheim Stadium where we'll sit back and relax while watching the Angels play the Rangers.

We'll be meeting in the parking lot by the "Big A" beginning at 5 p.m. for some networking and tasty tacos. The game begins at 6:07 p.m. **Tickets are limited, so be sure to get yours as soon as possible.** The price of tickets is \$35 per person, which includes the tailgate.

Contact Steve Beckstrom by calling (949) 463-3284 or emailing sbeckstrom@gmail.com for more information and to reserve your tickets!

CLCA Legislative Update

Submitted by CLCA President-Elect, Megan Rios, Rios Design Studio LLC

CLCA PRIORITY BILLS AS OF JULY 19, 2021

AB 12 (Seyarto-R) Personal information: social security numbers: the Employment Development Department.

Status: Senate Floor.

Comments: This bill prohibits the Employment Development Department (EDD) from sending outgoing US mail containing an individual's social security number.

Position Priority: Support 3

AB 62 (Gray-D) Income taxes: credits: costs to comply with COVID-19 regulations.

Status: 2-Year Bill.

Comments: Tax credits for COVID workplace conformance related expenses.

Position Priority: Support 2

AB 95 (Low-D) Employees: bereavement leave.

Status: Dead.

Comments: New employer mandated bereavement leave.

Position Priority: Oppose 2

AB 332 (Committee on Environmental Safety and Toxic Materials) Hazardous waste: treated wood waste: management standards.

Status: Senate Floor.

Comments: Treated wood regulation bill.

Position Priority: Support 2

AB 995 (Gonzalez, Lorena-D) Paid sick days: accrual and use.

Status: Dead.

Comments: Paid Sick Leave expansion.

Position Priority: Oppose 2

AB 1041 (Wicks-D) Employment: leave.

Status: Senate Appropriations Suspense File.

Comments: CFRA expansion definition of family is anyone designated as close.

Position Priority: Oppose 2

AB 1119 (Wicks-D) Employment discrimination.

Status: Dead.

Comments: Expands FEHA to include "family responsibilities."

Position Priority: Oppose 2

SB 58 (Wilk-R) Personal information: social security numbers: state agencies: Employment Development Department: fraud prevention.

Status: Senate Appropriations Suspense File.

Comments: This bill prohibits the Employment Development Department (EDD) from sending outgoing US mail containing an individual's social security number.

Position Priority: Support 3

SB 102 (Melendez-R) COVID-19 emergency order violation: license revocation.

Status: 2-Year Bill.

Comments: Prevents the Department of Consumer Affairs from license revocation related to COVID unless the Dept./ Board can prove transmission resulted.

Position Priority: Support 2

SB 216 (Dodd-D) Contractors: workers' compensation insurance: mandatory coverage.

Status: 2-Year Bill.

Comments: Expands license categories that require worker's compensation insurance.

Position Priority: Support 3

SB 304 (Archuleta-D) Contractors: exemptions.

Status: 2-Year Bill.

Comments: Increases the amount of authorized work, which exempts an individual from licensure requirements under the Contractors State License Law (License Law), from \$500 to \$1000.

Position Priority: Oppose 2

SB 606 (Gonzalez-D) Workplace safety: violations of statutes: enterprise-wide violations: employer retaliation.

Status: Assembly Appropriations.

Comments: Gives Cal/OSHA enhanced enforcement authority, including authorizing the agency to issue enterprise-wide citations and subpoenas, allowing it to impose more significant penalties on "egregious employers."

Position Priority: Oppose 2

SB 727 (Leyva-D) Labor-related liabilities: direct contractor.

Status: Senate Appropriations Suspense File.

Comments: SB 727 expands contractor joint liability to include liquidated damages.

Position Priority: Oppose 2

Drought Legislative Update

California continues to have a total of 41 counties under emergency declaration by the Governor. This represents 30% of California's population, nearly 40 million people. The original proclamation only included Mendocino and Sonoma counties due to the drought conditions in the Russian River watershed. Consequently, we are starting to see both voluntary and mandatory water conservation measures put into place.

The Governor proposed a total of \$3.7 billion in drought related aid in his May Revision to the budget and Legislature ultimately approved this level of funding. However, the final details of how these funds would be expended are not agreed upon yet. We anticipate more budget trailer bills now that the summer recess is over and the Legislature returned on August 16.

CLCA's legislative program includes professional lobbying in Sacramento, grass roots action, and involvement in political coalitions. CLCA also has a political action committee, LandPAC, that raises funds from the landscape industry and uses that money to support qualified candidates for political office.

Learn more at www.clca.org/clca-legislation-center/

Updated Wall Lights Reduce Glare & Increase Design Flexibility

Get ready for a new angle on wall lighting! FX Luminaire's sleek VO and SL Wall Lights offer new angled faceplate options for reduced glare and greater design flexibility in hardscape settings.

"Controlling the light is crucial when creating an attractive outdoor lighting design," said Sarah Auyeung, Associate Product Manager for FX Luminaire. "These innovative options allow designers to direct the light toward a specific object and achieve the effect they want."

New Round Faceplate for VO Wall Light

The popular VO Wall Light is now available with a Round (RD) faceplate option. The new faceplate prevents unwanted glare while directing light output toward a desired surface. With an IP68 rating, it can be used as a watertight in-grade for illuminating specific objects or as a wall light for lighting pathways.

Features:

- Premium stainless steel body that is durable, rust-proof, and easy to clean
- Integrated ZD 1 LED board that provides zoning and dimming capabilities
- Special mounting kit available to simplify installation in concrete applications

SL Wall Light Now Available in a Larger Size

The SL Wall Light is now offered in two sizes, simplifying hardscape projects without compromising light output. The new, larger SL-5 configuration offers an extended horizontal lens that provides a wide beam spread up to 14' (4m), ensuring an even distribution on walkways with fewer fixtures.

Available with Curved (CV) and Flat (FT) faceplate configurations and nine powder-coat finish options, the modern SL Wall Light is the perfect complement for any outdoor lighting project.



Features:

- Easy-to-install models that are retrofit capable using standard junction boxes for North America (1-G & 4")
- Die-cast aluminum construction to ensure a strong, lightweight fixture
- Marine-grade anodization and powder-coat finish to maximize corrosion protection
- Luxor® compatible for zoning, dimming, and color-changing control

Visit www.fxl.com for more info.



Devil Mountain Wholesale Nursery was established in 1995 to broaden the plant and tree palette available to landscape professionals. With over 1,100 acres of nursery stock, ten locations, and a robust plant brokerage service, Devil Mountain provides a single-source solution to landscape professionals. The acquisition of BrightView Tree Company in 2020 further increased plant availability, especially quality grown trees. Customers can expect to find a wide range of plants and trees in sizes ranging from 4" containers to 120" boxes. Orders can be placed online or you can shop the nursery in person, with will call pickup service or delivery available throughout Los Angeles and San Diego.

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MWDOC Offering Rebates to Help Save Water

Amid intensifying drought and record-breaking temperatures across the Western United States, Governor Gavin Newsom recently declared a drought state of emergency and called on Californians to voluntarily reduce their water use by 15 percent with simple measures to protect water reserves.

Now, more than ever, is the perfect time to transform yards with climate appropriate plants and efficient irrigation devices. Municipal Water District of Orange County (MWDOC) is here to help by offering rebates for consumers to help save water. Every drop of water saved today is an investment towards a sustainable future.

Drip Irrigation - Rebates start at \$0.50 per square foot. Convert spray heads to drip irrigation, which uses emitters to deliver water to specific locations at, or near, plant root zones. Drip irrigation systems are very water-efficient and are even customizable for different plant varieties in a small area. Enjoy water savings of up to 50 gallons per day.

Smart Sprinkler Timers - Rebates start at \$80 for properties less than one acre -or- \$35 per station for properties greater than one acre. Choose a weather-based irrigation controller that adjusts the watering schedule based on current weather conditions, or a soil moisture sensor controller that measures the soil's water content to determine how much water plants need. Enjoy water savings of up to 40-50 gallons per day/home.

Sprinkler Nozzles - Rebates start at \$2 each. (Minimum of 30 nozzles) Upgrade to rotating sprinkler nozzles that water more evenly and efficiently than traditional pop-up spray heads. Rotating sprinkler nozzles can help you reduce harmful water runoff that flows off your landscape and eventually enters the ocean. Using multi-trajectory, rotating streams of water, rotating nozzles water more efficiently and uniformly than traditional sprinkler heads. They can reduce your outdoor water use by up to 30%.

Soil Moisture Sensors - Rebates start at \$80 per device or \$35 per station for sites over 1 acre. Soil moisture sensor controllers are placed below ground in the root zones of lawns and landscapes to determine if and how long to water. They are available as stand-alone controllers or add-on devices to existing controllers. They have been shown to reduce outdoor water use by up to 70% without sacrificing the quality or health of your landscape.

Rain Barrels and Cisterns - Rebates start at \$35 per rain barrel and \$250 per cistern. Capture the rainwater that falls on your roof and use it later to water your plants. Plants and microbes prefer rainwater because it is naturally "soft" and free of chlorine, fluoride, and other chemicals. Rain barrels can help reduce ocean water pollution by preventing rain from carrying fertilizers, pet waste, and harmful debris from your property out into the ocean.

Learn more at www.mwdoc.com/save-water/water-use-efficiency/.



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Can I Mandate Vaccines in My Company?

By Giuliana Gabriel, J.D., California Employers Association, www.employers.org

COVID-19 issues impacting the workplace have been ever-changing over the past 18 months. Now, major companies, such as Walmart and Disney, have announced plans to mandate the vaccine for at least some of their workers. On a state and local level, vaccine mandates are popping up for certain businesses and customers. You may be wondering whether you can or should mandate the vaccine, the limitations on vaccine mandates, and what to expect going forward. Read below to find out more!

Employers May Mandate the Vaccine

According to both state (DFEH) and federal (EEOC) agencies, employers may require employees to be vaccinated, so long as the vaccination is job-related and consistent with business necessity.

However, before you terminate an unvaccinated employee, make sure you find out the reason they are not (or refuse to) get vaccinated. This is because you are obligated under the law to make reasonable accommodations for employees with disabilities/medical conditions, or sincerely held religious beliefs that would prevent them from getting vaccinated. While you should not ask questions about an employee's diagnosis, you do have the right to request a doctor's note certifying the disability. Make sure to document the reason an employee is not getting vaccinated.

What About Unions & Mandated Vaccines?

If any of your employees are subject to a collective bargaining

agreement, consult legal counsel before mandating the vaccine for those workers. A unionized employer must bargain with the union first to gain agreement, even if cities or governmental entities require vaccination. Examples of the negotiation could include which classes of employees are subject to the vaccination, and timing and/or compensation for time spent to get vaccinated.

Can I Advertise that my Staff is Fully Vaccinated?

You may confirm employee vaccination status by designating the human resources department, your office safety manager, or select supervisors to gather employee information about vaccination status. While you are permitted to collect this information, do not share an employee's vaccination status with other employees, customers, vendors, etc. An employee's vaccination status should be treated as a confidential record and kept separate from employee personnel files.

Some employers have contemplated advertising to the public that all of their staff is fully vaccinated. However, this is likely a privacy violation, as it would allow someone to determine each individual's vaccination status in your workplace.

Remember this rule: Collecting vaccine information is fine, sharing it is not.

Continued on Next Page...

Can I Mandate Vaccines in My Company?

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CA State Employees, Healthcare Workers and School Personnel

Certain employers are required to mandate the vaccine, per state and local orders. For example, the California Department of Public Health (CDPH) issued an August 5, 2021 order mandating that almost all healthcare employers (both public and private) require their healthcare workers to be fully vaccinated, unless the person qualifies for a religious or medical exemption.

Note that CDPH issued a previous July 26, 2021 order, which applies to State employees, and many healthcare employers. The order provides that unvaccinated workers are permitted to continue working, so long as they submit to weekly COVID-19 testing. While the July 26 order is still in effect, healthcare employers listed in the Aug. 5 order must mandate the vaccine for workers by Sept. 30, 2021.

Not all of the groups listed in the July 26 order are included in the Aug. 5 order. For example, dental offices are only listed in the July 26 order. This means that dental offices may allow unvaccinated employees to continue working, so long as they submit to the weekly COVID-19 testing requirements.

Similarly, the CDPH issued an August 11, 2021 order for school personnel, mandating either vaccination or regular COVID-19 testing for workers of schools throughout the state. The order applies to public and private schools serving students in transitional kindergarten through grade 12, inclusive. It excludes home schools, higher education, and child care settings.

There has been an indication that certain State employees may be subject to a full vaccine mandate soon.

Vaccine Mandates in San Francisco and Los Angeles

Vaccine mandates are also popping up on a local level, for both employees and customers. For example, the San Francisco Department of Public Health (SDPH) issued an August 12, 2021 order mandating that covered businesses (such as restaurants, bars, clubs, recreational facilities and more) require both patrons and staff (ages 12 and above) to provide proof of full vaccination before entering the premises. This mandate goes into effect on August 20. The proof of vaccination requirement for employees goes into effect on October 13 for covered businesses.

Additionally, the Los Angeles City Council recently voted for the city attorney to draft an ordinance that would require people to have at least one dose of a COVID-19 vaccine to enter indoor restaurants, bars, gyms, theaters, etc. Although the specifics are not yet determined, it is likely some form of this ordinance will pass in the near future.

Have questions or need assistance implementing a mandatory vaccine policy in your workplace? Call the California Employers Association at (800) 399-5331 to get more information and tools to get you started.

This article was excerpted from the California Employers Association's blog at www.employers.org/blog

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For more info. about advertising in the OC Vision, contact Bronwyn Miller at (949) 466-1222/eyescales@yahoo.com.

Positive Persuasion

By Jim Paluch, JP Horizons, www.jphorizons.com

The great martial artist masters never go looking for a fight. Their greatness allows them to know how to end a fight before it begins. They are able to control their emotions, actions, and physical talent to avoid being drawn into a situation where no real winner would emerge.

As leaders, we have the opportunity to put on our black belt and show our own martial arts skills...**MENTAL MARTIAL ARTS.** It begins when we show an almost "Zen-like" nature when faced with a conflict. What is the response to an irate employee, customer, or even a spouse? Do you heighten their irritation and respond in a negative manner? Or do you rise above it, and allow your calmness to defuse their anger? The leader able to do the latter has mastered the true art of leadership by mastering themselves. You gain the respect of those around you when you are not drawn into conflict.

Yet, in all their efforts, even the greatest martial artist as well as the greatest leader may have no choice. An assailant yielding a verbal weapon attacks them from behind. This is where the mastery and beauty of their skill and its striking power are displayed by turning the force of the assailant's blow back onto them. How is this accomplished in mental martial arts? **WITH A QUESTION!**

If your assailant comes at you with a barrage of unsubstantiated claims such as, "This company is always taking advantage of its employees!" simply reverse the direction of the attack with the question, "HOW DO YOU KNOW?" Those four simple words will direct the responsibility of the statement back to the assailant. If they answer with another verbal attack, simply ask again with a calm voice, "Well, how do you know that?" If you can continue to ask until your attacker figuratively falls to the ground, then you have received your black belt in the mental martial arts and quite possibly the opponent will become the ally. The choice to lower ourselves to the conflict or to rise above it and win the respect of those around us rests within every person desiring to be a leader.

Other great mental moves to remember:

- **Keep the problem in front of you.** Just as martial artists would not want to allow one of the attackers to get behind them and end up surrounded, you too can keep the problem in front of you by focusing on it.

“Warmth and kindness, along with a willingness to compromise and see the other person’s point of view, is the true path to positive persuasion.”

- **Stay calm.** Fear, panic, and anger are all negative emotions. Staying calm during a dispute will allow you to think clearly and help the other person stay calm as well.

- **Stay friendly.** Why not? It is difficult for someone to "attack" a friend. Your smile, handshake, nodding head, and humor can have an effect that will "disarm" your attacker and defuse their anger.

- **Be solution-oriented.** The mental martial artists should be seeking to resolve the conflict without anyone becoming hurt. Use your energy to find a solution rather than a clever way to prove you are right.

Positive Persuasion

Most of us remember hearing Aesop's Fable as a child and it's worthy of remembering. It tells the story of an argument between the sun and the wind fighting over which was stronger. The wind said, "Do you see that old man down there? I can make him take his coat off quicker than you can." So the sun went behind a cloud and the wind blew until it was almost a tornado. But the harder it blew, the tighter the man wrapped his coat around him. Finally, the wind gave up and the sun came out from behind the cloud and smiled warmly on the old man. Presently, he mopped his brow and pulled off his coat. The sun told the wind that gentleness, warmth, and friendliness are always stronger than force and fury.

Just like in Aesop's fable, the more force that you apply, the more you insist on being right and getting your own way, the less chance you have of winning. Warmth and kindness, along with a willingness to compromise and see the other person's point of view, is the true path to positive persuasion and getting what you want in life.

This article was excerpted from JP Horizons' blog at www.jphorizons.com/blog

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3 Reasons Why You Should Water Turf With A Smart Controller

By Richard Restuccia, JAIN Irrigation, www.jainsusa.com

Grass is the single largest irrigated agricultural crop in America. Turfgrasses occupy 2% of the land in the continental United States and use more acreage than the amount of land used for growing irrigated corn. This is true today and it was true over 20 years ago when I first entered the water management industry. It will probably be true 20 years from now. Yet, even with incentive payments as high as \$87,000 per acre to remove turf, grass continues to stand out as a major part of our landscapes in America.



keeps plants healthier by encouraging stronger roots and discouraging weeds, disease, and fungus growth.

Smart controllers save time. Once your site data is programmed into the smart system, the controller adjusts the watering schedule based on the changing weather conditions and soil moisture depletion without manual intervention.

Smart controllers save money. Smart systems can reduce your annual water bill by as much as 30-50 percent by preventing the waste from overwatering

to begin with. Plus, many local water providers offer rebates for purchasing specific smart controllers.

It's time to switch up the conversation from removing turf to responsibly managing the water that's used on it. Then, we'll see more success in conserving and saving more water instead of shaming homeowners, commercial building owners, and HOAs to remove their turf. Remember, the intended goal of turf removal is to save water, not the removal of the turf itself. We can reach the same goal with performance standards and technology, which will leave consumers feeling much more empowered to solve future water challenges.

This article was excerpted from JAIN Irrigation's blog at www.jainsusa.com/blog

It seems almost weekly someone is telling us to remove our turf. It is a lightning rod statement creating lots of drama and noise at opposite ends of the discussion spectrum, but does little to change most people's minds on the subject. This is not surprising considering most people's reactions when told we must do something. There are hundreds of examples when telling people to do something does not result in the desired action.

Use technology to manage water better. It's time to shift the discussion to using technology to solve the water problem with grass. This is representative and has been the American way historically how we've faced our challenges. Cars use lots of gas. No one suggests we ban the use of vehicles. Instead, we set miles per gallon performance goals and reward companies with our business who provide products that help reduce gasoline use and are better for the environment. Let's do the same and start rewarding consumers for using technology to reduce the water use on their lawns.

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