



# OCvision

Official Publication of the Orange County Chapter of California Landscape Contractors Association - [www.CLCA-OrangeCounty.org](http://www.CLCA-OrangeCounty.org)

Cover Photo: 2023 Robert Wade Memorial President's Award winning Peng Residence by multi award-winning contractor Tropical Plaza.



OC VISION  
C/O CLCA - Orange County Chapter  
P.O. Box 12044  
Newport Beach, CA 92658





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CLCA Orange County Chapter



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California Landscape Contractors Association - Orange County Chapter



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## Time for Gratitude



**Dave Horton**  
So Cal Concepts  
Chapter President

I can't believe it's already November and Thanksgiving time. Before I get lost in the hustle and bustle of the holiday season, I like to reflect on the many blessings in my life.

This year I am especially thankful for FAMILY. I have been blessed with family connections in both my personal and business parts of life and they all mean a lot to me.

My first family is at home. My wife, with her love and support, has enabled me to create a company and reach goals that I never knew were possible. My kids, while grown and starting their own lives, have also supported me through the years and are always in my heart. This family means the world to me.

My second family is my team. My employees are what make my business dreams come true. They are committed to always doing quality work and pleasing our customers.

My third family are my customers. I have been blessed with

a loyal customer base, many of which have been with me since I started my company. Their loyalty drives me to maintain the highest levels of standards in my business.

My fourth family is CLCA. As you have heard me say many times, I am thankful for all that the CLCA has taught me, the connections I have made through the organization, and the support I have received. This family includes the OC Chapter Board of Directors. This team of professionals always show me their support and are the backbone of this chapter. They make it come to life!

Thanksgiving has come to mean more than just enjoying a large feast with family and friends. It symbolizes gratitude and celebrating the many blessings in our lives.

What are you grateful for? ~Sincerely, Dave

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## 2023/2024 CLCA-OC Calendar

Mark Your Calendars & Save the Dates Now!

Dec. 14	<p><b>OC Holiday Party, Orange County Mining Co.</b>  <i>Don't miss this holiday event that's open to all members and friends. Come out and enjoy some tasty food while celebrating 2023 with your CLCA friends! Space is limited. Reserve your spot now. Register at <a href="http://www.clca-orangecounty.org">www.clca-orangecounty.org</a>.</i></p>
2024	
Jan. 10	<p><b>2024 OC Kickoff Meeting, Location TBD.</b>  <i>Plan to attend to learn about the exciting things we've got planned for 2024 and meet your new Board of Directors. Don't miss this great networking event where you'll have the opportunity to connect with CLCA professionals who can help you grow, both professionally and personally.</i></p>
Feb. 15	<p><b>OC Lunch &amp; Learn. Location TBD.</b>                  Topic: Drip Irrigation &amp; New Plant Introductions.</p>
March 13	<p><b>OC Lunch &amp; Learn. Location TBD.</b>                  Topic: Artificial Turf.</p>
April 18	<p><b>OC Golf Tournament.</b> Details coming soon.</p>

# OC Chapter Holiday Party is Thursday, December 14, at the Orange County Mining Co.

Thank you event sponsors:



It's time to break out your ugliest Christmas sweater! Celebrate the season with us on Thursday, December 14, at the Orange County Mining Co. starting at 6 p.m. This rustic, casual, and relaxing, American steakhouse will be festively decorated, providing the perfect setting for this year's holiday party.

Thanks to our wonderful event sponsors we will have appetizers and a hosted bar for the first hour! Dinner will be a filet mignon with mushroom cap and chicken in white wine sauce.

You definitely don't want to miss this holiday event that's open to all CLCA members and friends. Come out and enjoy some tasty food while celebrating 2023 with your CLCA friends! There will be a prize for the ugliest Christmas sweater.

Space is limited so be sure to reserve your spot as soon as possible. Cost for this fun-filled celebration is just \$85. **Register online at [www.clca-orangecounty.org](http://www.clca-orangecounty.org).** Reach out to Margot Boyer at (714) 726-3843 with questions.

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- 2 Kickoff Meeting tickets
- Tabletop at a CLCA-OC Lunch & Learn
- Foursome in Golf Tournament + hole sponsorship
- 2 Beautification Awards tickets + General Category Sponsorship
- 2 Sporting Event tickets + Tailgate
- 2 Holiday Dinner tickets
- Recognition in magazine & website
- Link on emails to membership

## Preferred – \$1,625

- 2 Kickoff Meeting tickets
- 1 golfer in Golf Tournament + hole sponsorship
- 1 Beautification Awards ticket + General Category Sponsorship
- 2 Sporting Event tickets + Tailgate
- 2 Holiday Dinner tickets
- Recognition in magazine & website
- Link on emails to membership

Have questions? Contact Bronwyn Miller at (949) 466-1222 or [eyescapec@yahoo.com](mailto:eyescapec@yahoo.com).

## Partner – \$975

- 1 Kickoff Meeting ticket
- Golf Tournament hole sponsorship (no golf)
- Beautification Awards General Category Sponsorship (no dinner)
- Recognition in magazine & website
- Link on emails to membership

## Contractor – \$725

### Contractor Members Only!

- 2 Kickoff Meeting tickets
- Twosome in Golf Tournament
- 2 Beautification Awards tickets
- 2 Sporting Event tickets + Tailgate
- 2 Holiday Dinner tickets
- Recognition in magazine & website
- Link on emails to membership

Total Enclosed \$ \_\_\_\_\_

Registration and payment can also be completed online at [www.clca-orangecounty.org](http://www.clca-orangecounty.org).

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Please return this form with check made payable to CLCA-OC, to:  
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## New Year, New Leaves

Employers—it's time to pull out your handbooks and get ready for some major revisions to two leave laws for 2024: paid sick leave and bereavement leave. California employers must prepare for the mandatory paid sick leave increase to a full week, as well as a brand new bereavement leave for reproductive loss events. Keep reading below for key insights.

### Mandatory Paid Sick Leave

SB 616 will increase mandatory paid sick leave from 3 days or 24 hours, to **5 days, or 40 hours as of January 1, 2024**. For employers who use the accrual method, employees still accrue sick leave at a rate of one hour of PSL for every 30 hours worked; however, the cap on paid sick leave will increase from 6 days, or 48 hours, to **10 days or 80 hours**. Employers may limit usage to 5 days or 40 hours in each year of employment, calendar year, or 12-month period.

It is not as common, but for employers who use an alternative accrual method (i.e., something other than one hour for every 30 hours worked), the employer must ensure that the employee accrues no less than 24 hours by the 120<sup>th</sup> calendar day of employment and that they also accrue at least **5 days or 40 hours by the 200<sup>th</sup> calendar day of employment** or each calendar year.

### All of the following rules still apply to PSL:

- All employers are covered, regardless of size.
- Eligible employees are those who work 30 or more days for the employer.
- PSL usage may be limited to employees who have completed 90 days of employment (if so, note this in your policy).
- Employees are protected from retaliation and qualifying sick leave absences should not be counted against attendance. Also, it is not recommended to request a medical note when employees use mandatory sick leave.
- Available paid sick leave must be reflected on the employee's pay stub every pay day.

### Reproductive Loss Bereavement Leave

Last year, it became mandatory for California employers (with five or more employees) to provide bereavement leave upon the death of a covered family member. Now, in 2024, employees may also take up to **5 days of bereavement leave** for a “**reproductive loss event**.”

Covered employers include all public employers and private employers with five or more employees. Eligible employees must have worked 30 or more days for the employer prior to the leave's start.

### A “reproductive loss event” is defined as:

**Failed Adoption:** means the dissolution or breach of an adoption agreement with the birth mother or legal guardian, or an adoption that is not finalized because it is contested by another party. This event applies to a person who would have been a parent of the adoptee if the adoption had been completed.

**Failed Surrogacy:** means the dissolution or breach of a surrogacy agreement, or a failed embryo transfer to the

surrogate. This event applies to a person who would have been a parent of a child born as a result of surrogacy.

**Miscarriage:** means a miscarriage by a person, by the person's current spouse or domestic partner, or by another individual if the person would have been a parent of a child born as a result of the pregnancy.

**Stillbirth:** means a stillbirth resulting from a person's pregnancy, the pregnancy of a person's current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy that ended in stillbirth.

**Unsuccessful Assisted Reproduction:** means an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure. This event applies to a person, the person's current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy.

In most cases, **employees have up to 3 months from the event date to use the leave**. For a multiple-day event, the final day is considered the event date. Note that reproductive loss bereavement leave is separate and distinct from bereavement leave for family member deaths, as well as PDL and family and medical leave (CFRA).

**The leave is unpaid and need not be consecutive**, but employees may opt to use available accrued time, including paid sick leave. Confidentiality and non-retaliation protections apply.

For employers familiar with last year's bereavement leave for family member deaths, there are some key differences with reproductive loss bereavement, including:

While employees have up to 5 days for each reproductive loss event, **employers may cap leave at 20 days** in a 12-month period. Unlike bereavement leave, employers may **not request certifying and/or medical documentation** for this leave.

### Employee Handbook and Other Changes

Practically speaking, what does this mean for California employers? We suggest you:

- Update your PSL and bereavement leave policies in your handbook
- Anticipate a PSL poster update
- Update Wage Theft Notices for non-exempt employees with the new paid sick leave entitlements
- Work with your payroll provider to ensure updated/accurate PSL amounts are listed on pay stubs for 2024
- Ensure your PSL systems are compliant for 2024. For the accrual method, have you altered usage and caps in your payroll system? For those using the lump sum method, have employees been furnished with enough time for 2024?
- Consider whether you will alter your vacation and/or paid holidays to account for the additional sick leave time

*This article was originally published on the California Employers Association blog at [www.employers.org/blog](http://www.employers.org/blog).*



# Water Efficient Landscape Dual Certification Program

Three Workshops to Choose From:  
December 6, 13, & 20 in Oceanside  
January 10, 17, & 24 in Los Angeles  
February 20, 27, & March 5 in Riverside



This free, one-of-a-kind certification and educational opportunity is brought to you by CLCA and the Metropolitan Water District of Southern California (MWD). There are three workshops coming up. They are being hosted in Oceanside on December 6, 13, and 20; Los Angeles on January 10, 17, and 24; and Riverside on February 20, 27, and March 5.

This joint effort combines the CLCA Water Management Certification Program with the Qualified Water Efficient Landscaper program to offer the landscape industry an opportunity to obtain two nationally recognized EPA WaterSense Professional Certifications with one course and one written test.

Presented in three six-hour classes, these workshops will offer CEUs for your current certifications and provide you with a participation certificate. They are free and available only to those in select counties of Southern California within the Metropolitan Water District's service area.

The combined curriculum focuses on landscaping fundamentals in one convenient course and includes topics like:

- Where Our Water Comes From
- Sustainable Landscaping
- Landscape Water
- Soils
- Irrigation Systems
- Irrigation Maintenance & Trouble Shooting
- Irrigation System Auditing
- Irrigation Scheduling
- Irrigation Controllers
- Landscape Water Management
- Landscape Water Budgeting

Register online at <https://clca.org/certification-center/water-efficiency-landscape-dual-certification-program/>

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## Welcome 2024 OC Board of Directors

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# Why You Need a Business Playbook

By Jonathan Goldhill, The Goldhill Group

A business playbook is a comprehensive guide that outlines the strategies, processes, and best practices for operating a business. It serves as a valuable resource for employees, management teams, and stakeholders, providing multiple benefits:

## **Consistency and Efficiency:**

A playbook ensures consistency in business operations by documenting standardized operating procedures (SOPs) and workflows. It helps align employees' actions with the organization's goals and objectives, promoting uniformity in how tasks are executed across different teams and departments. By clearly defining processes and workflows, a playbook helps streamline operations and eliminate redundant or unnecessary steps. It provides employees with a roadmap for completing tasks efficiently, reducing errors and delays in execution.

For 20 years, we've been telling our clients that if they want to build or scale a valuable business they can sell for a (small or large) fortune, they need to create a systems-dependent business, not an owner-dependent one.

Therefore, we encourage our clients to document their SOPs – because you can't scale or exit easily without them. More recently, we have promoted Playbook Builder for this because it's user-friendly and has some cool technology built into it. Of course, alternatives include Google Docs, Microsoft SharePoint, Trainual, Waybook, Notion, and more to consider.

**Onboarding and Training:** Playbooks are valuable resources during employee onboarding and training. New hires can refer to the playbook to understand the company's values, culture, and expectations. It gives them a structured overview of their roles and responsibilities, accelerating their integration into the organization. Playbook Builder shines here because you can embed videos, email them to your employees, and track their engagement (or lack thereof) with the email.

**Knowledge Management:** A business playbook acts as a centralized repository of knowledge, capturing institutional knowledge and best practices within the organization. It helps preserve critical information, preventing it from being lost when employees leave or transition to new roles and can be continuously updated with new insights and learnings.

**Decision Making:** Playbooks offer a decision-making framework, providing guidelines and procedures for various

issues or scenarios. They serve as a reference point for employees and managers facing common challenges or complex situations, helping them make informed decisions based on established strategies. In department or leadership team weekly meetings, have a segment where you "IDS an issue" (IDS is an acronym from the Entrepreneurial Operating System for the 3-step process used to resolve a business issue where you Identify, Discuss and Solve a problem). With a clear focus on problem-solving in the weekly leadership team meetings, they can be valuable and productive.

**Scalability:** As a business grows, maintaining consistency and operational efficiency becomes more challenging. A playbook becomes

particularly valuable in scaling operations as it provides a standardized approach that can be replicated across multiple locations, teams, or business units.

**Continuous Improvement:** Playbooks are not static documents. They evolve over time as the organization learns from its experiences and identifies areas for improvement. Regularly reviewing and updating the playbook allows the company to incorporate new insights, optimize processes, and adapt to changing market conditions.

**Risk Mitigation:** By documenting procedures, protocols, and compliance requirements, a playbook helps mitigate risks. It ensures that employees know regulatory guidelines, safety protocols, and ethical standards, reducing the potential for legal and operational liabilities.

A business playbook offers structure, consistency, and guidance to an organization, leading to increased efficiency, better decision-making, and improved overall performance. You can scale a business more effortlessly with a playbook followed by all. You can more readily exit or transfer a business to the next generation. Finally, the playbook codifies how business gets done, which avoids having a well-meaning but inept team of people trying to run the business.

If you are busy in what seems like endless fire-fighting, got-a-minute interruptions from staff to ask how something should get done, or feel overwhelmed by the lack of processes in your business, schedule a complimentary consultation with me and let's see if we can help you untangle the challenges and develop a roadmap with a playbook that can get you to the next level in your business!

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***“A business playbook offers structure, consistency, and guidance to an organization, leading to increased efficiency, better decision-making, and improved overall performance.”***

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**CLCA's mission is to serve and protect the interests of its members, promote professionalism, and advance public awareness of the landscape industry.**



# New C-49 Tree and Palm Classification Takes Effect January 1, 2024

The Contractors State License Board (CSLB) will accept applications for the new C-49 – Tree and Palm Contractor classification starting January 1, 2024.

CSLB created this classification to ensure tree service contractors are tested on health and safety protocols in the tree service industry. The regulation establishing the C-49 was approved on March 30, 2022. The C-49 trade examination was developed and finalized in December 2022.

Starting January 1, 2024, the following changes affect tree service specialty contractors:

CSLB will no longer accept applications for the C-61/D-49 Tree Service limited specialty classification. Applications received for the C-61/D-49 Tree Service classification after December 31, 2023, will be processed as a C-49 Tree and Palm application.

Contractors who wish to specialize in tree service work who do not hold a C 61/D-49 Tree Service classification will need to apply for the C-49 Tree and Palm Contractor classification.

All applicants for the C-49 Tree and Palm Contractor classification will need to sit for a trade examination regardless of other license classifications they hold.

CSLB will expediate the application experience review for C-49 applicants that have held an active C-61/D-49 Tree Service license for at least four years.

Contractors who hold a C-61/D-49 Tree Service classification issued before January 1, 2024, may retain and work under that classification after January 1. However, C-61/D 49 are encouraged to apply for the C-49 classification, which will become the industry standard.

While the C-49 and C-61/D-49 classification descriptions differ slightly (the C-49 description includes palms), CSLB regards the classification of work as the same.

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## Five Payroll Mistakes to Avoid



Of all the tasks it takes to keep your business running, time-keeping and payroll processing are probably the least exciting and most routine. But that doesn't mean that getting it right is always easy. Or that getting it wrong is no big deal.

Noncompliance with employment, labor and payroll tax laws can put your business under a microscope, and even lead to fines and penalties. 33% of employers make payroll errors, and roughly 40% of small businesses pay an average of \$845 a year in IRS penalties because of mismanaged payroll processes.

To keep your business from becoming a statistic and your costs in check, it's worth auditing your payroll processes to ensure you don't fall victim to the following common pitfalls.

### 1. Poor record-keeping and inaccurate data

Like anything else in business, employing and paying workers generates a lot of paperwork. And preserving those records is important. Different federal, state and municipal agencies have rules defining what type of information employers should keep. For example, the Fair Labor Standards Act (FLSA) requires that individual employee's records include no fewer than 14 different points of identifying information about the worker, the hours they work and the wages they earn.

In addition to guidelines about what

type of information employers should gather and store, laws also define how long that data should be kept. For example, the law requires that you hold on to the following documents for at least four years:

- Timesheets
- Canceled checks
- Tax forms
- Proof of past payments

It's also important that employee information be 100 percent accurate. After your employees fill out their W-2s, make sure to double-check the following information:

- Employee's full name
- Current address
- Social Security Number
- Start date
- Termination date (if applicable)
- Date of birth
- Payroll details, including hourly rate, overtime, etc.

For a comprehensive list of labor and payroll tax recordkeeping req's, visit the IRS' or DOL's websites.

### 2. Falling behind on payroll tax and filing deadlines

Generally the federal government collects payroll taxes on a pay-as-you-go basis. Almost half of all small businesses get fined every year for late or missed payments.

There are several reoccurring payroll tax deadlines you need to remember. A biweekly or monthly deadline is set

by the IRS to deposit both withholding taxes and your share of taxes — including federal income tax, Social Security and Medicare taxes, and Federal Unemployment Tax. If you fail to make a timely deposit, you are subject to a penalty of up to 15 percent, depending on how late the deposit is. There are also quarterly and annual returns that you must file with your W-2s. For a complete list, check out the IRS' website. Also, keep in mind you will likely be responsible for remitting payroll taxes on a state or even local level, which may require different information and/or be due at different times.

### 3. Withholding errors

There are a lot of potential slip-ups in the withholding process. Misclassifying employees is one common mistake (we'll get into that more later). Other potential pitfalls include:

- Failure to withhold federal and state taxes
- Inaccurate calculation of pre-tax and post-tax deductions
- Making incorrect deductions from exempt employee's salaries
- Excluding taxable fringe benefits like gift cards, awards, and bonuses
- Excluding specific expense reimbursements from the employee's taxable wages
- Issuing incorrect W-2 forms

### 4. Exempt or non-exempt?

A non-exempt employee (generally an hourly worker) is entitled to overtime pay while an exempt employee is not. When your non-exempt employees work more than 40 hours in a workweek, you owe them time and a half pay for those hours.

An employee must meet three criteria to be exempt from receiving overtime pay:

- Earns more than \$684 per week, or \$35,568 annually
- Is paid a predetermined or fixed salary, that can't be reduced due to the quality or quantity of their work
- Primarily performs professional, executive or administrative duties as defined by the law

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# Five Payroll Mistakes to Avoid

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Employees who don't meet this criteria are considered non-exempt and owed overtime pay under federal law, no matter the circumstance. For example, if an employee works overtime without advance approval, they're still entitled to overtime pay. Asking non-exempt employees to work off of the clock, or compensating them with time off in lieu of overtime pay would also result in noncompliance with the law.

Keep in mind we're only covering federal laws. States and even some municipalities have their own overtime regulations that business owners must also follow.

## 5. Contractor or part-time employee?

Confusing an employee with a contractor can also cost you. Businesses are generally not required to withhold or pay taxes on payments to independent contractors who are subject to self-employment tax. If workers are your employees, you owe payroll taxes on their wages and taxable benefits. Accidentally misclassifying an employee as a contractor would lead to failure to withhold and remit payroll taxes. Which as we mentioned before, comes with its own set of fines and penalties.

If you are unsure about a worker's status, you can request an IRS determination by filling out Form SS-8. If you've already made the mistake of misclassifying employees, the IRS offers relief through the Voluntary Classification Settlement Program. You can also contact your attorney or legal counsel for advice on how to proceed if you believe you're noncompliant.

As a small business owner, you've got a lot on your plate. The right payroll software will eliminate the confusion and stress that often accompanies paying employees, filing forms and meeting all your tax requirements. Working with a provider that offers SHRM-certified HR professionals to give you a hand whenever you need it is helpful too. Heartland offers these services and more.

*This article was excerpted from Heartland Payment System's blog at [www.heartland.us/blog](http://www.heartland.us/blog).*

CLCA has a partnership with Heartland Payment Systems as its endorsed credit/debit card and payroll processor. They offer competitive, customized pricing for CLCA members.

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Business Card	(3 5/8" x 2")
1/4 Pg	(3 5/8" x 4 5/8")
1/3 Pg horizontal	(6 1/8" x 3 3/8")
1/3 Pg vertical	(3 5/8" x 7")
1/2 Pg horizontal	(7 1/2" x 4 5/8")
1/2 Pg vertical	(3 5/8" x 9 1/2")
Full Pg	(8 1/2" x 11" + 1/4" bleed all around)

For more info. about advertising in the *OC Vision*, contact Bronwyn Miller at (949) 466-1222/bronwyn@eyescape.net.

# POWER TO THE PROJECT



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