

# *The Communicator*

T H E C A L I F O R N I A M O V I N G &amp; S T O R A G E A S S O C I A T I O N

## **Job Killer Bill May Increase Fuel Costs; Proposal Continues to Move in Assembly**

Fuel costs for California businesses may increase if the job killer SB 350 bill is signed into law.

SB 350 (de Leon; D-Los Angeles) potentially increases costs and burdens on all Californians by mandating an arbitrary unrealistic reduction of petroleum use by 50 percent, increasing the current Renewable Portfolio Standard to 50 percent and increasing energy efficiency in buildings by 50 percent—all by 2030 without regard to the impact on individuals, jobs and the economy.

### **Blank Check Authority**

SB 350 provides broad and undefined authority to the California Air Resources Board (CARB) to adopt regulations, standards and specifications “in furtherance of achieving a reduction of petroleum use in motor vehicles by 50 percent by January 1, 2030. ...”

This bill does not specify whether CARB should adopt and implement policies that have an impact on the demand for petroleum fuels, or whether it should adopt and implement policies that affect the supply of transportation fuels. SB 350 provides a blank check delegation of authority to CARB and fails to require CARB to give consideration to the cost or job loss associated with the mandatory reduction.

Without legislative guidance or protections against increased costs or job loss, what tools could CARB employ to meet the reduction mandate: Ration the use of petroleum? Limit driving to certain days of the week? Demand vehicle efficiency without available technology?

Implementing any of those approaches will come at a high cost to families and residents in

California.

### **Driving Integral to Daily Life**

Most of California’s businesses and families rely on petroleum for their day-to-day transportation needs and SB 350 may compromise the availability of transportation fuels.

The California Energy Commission reported in its 2014 Integrated Energy Policy Report that 92 percent of all transportation fuels in California are made up of petroleum. Businesses rely on petroleum to transport goods and people. Imagine the upset reducing petroleum by 50 percent will have on daily activities, including getting to and from work, taking children to school, grocery shopping, getting to the doctor, etc.

### **Higher-Cost Vehicles**

The goal of reducing petroleum consumption by 50 percent fails to recognize the needs of average Californians. Electric and hybrid vehicles, which consume less petroleum than traditional vehicles, come with a higher price tag and are out of reach for many Californians whose disposable income must be spent on groceries, child care, rent and other basic needs.

### **Good Petroleum Jobs**

The CalChamber and coalition opposing SB 350 also call attention to the potential impact on good-paying jobs in the petroleum industry if petroleum production in California is reduced.

The petroleum industry is a major economic engine in the state and has been helping California grow for more than 100 years. A 2014

*(SB 350 continued on page 5)*



## Chairman's Corner

By: Patrick Longo

As we start getting our kids back to school after this long hot summer and the company phone lines start to quiet down, we look back at another peak moving season and reflect on what we did well and what we could have done a little

better. It's important to continue to give each other report cards on everyday performance not only at work but in your personal life as well. Did you handle that customer with care and empathy while she was waiting for her two-weeks-late shipment? Did you respect and reward that employee as much as you should have for going out of his or her way to handle a VIP account with such great care that the customer raved about them personally? Have you been able to stay on top of your truck fleet to make sure all your trucks stay running and in tiptop shape? Were you able to keep your warehouse clean and manageable? Were you able to balance your time to spend enough quality time with your

wife and kids and not stay consumed with your work even when at home? Chances are you were not able to accomplish everything perfectly and that's OK. Nobody's perfect. The main thing, I believe, is to stay consistent, learn from your mistakes, hold yourself accountable and be willing to adapt to change.

Early August, the CMSA Executive Committee had the opportunity to meet at the Fairmont Newport Beach for our annual Executive Committee Retreat. High-energy, productive meetings were held on Friday evening and Saturday morning, discussing issues affecting our industry and directly our association. After the meetings, we were off to lunch on the water then headed over to watch my Angels play the Baltimore Orioles at Angel Stadium, followed by an awesome fireworks show. I am very proud of our Executive Committee. They are dedicated members of our association, committed to working for the membership and making the Association even better than it already is.

Finally, I would like to share a quick story for you about what happened last month. I got a call from my crew chief who was out on a job. He needed me to come out and deliver some

*(Chairman's Corner cont. on page 4)*



**PACKING MATERIAL / WAREHOUSE SUPPLIES  
EQUIPMENT SALES & RENTAL / GREAT SERVICE**

**IT'S WHO WE ARE!**

**Los Angeles**  
800-225-3659

**S.F. Bay Area**  
800-323-6559

**Sacramento**  
800-439-3934

**Las Vegas**  
888-323-6559

**Chicago**  
888-795-0199



## President's Comments

By: Steve Weitekamp

Chairman Longo's Executive Committee gathered, in the middle of the peak season, for a brief retreat last month. This is the fourth straight year that the Chairman has decided to call for an Executive Committee meeting during the summer. The retreat is an opportunity for committee members to meet for a weekend, roll up their sleeves and look at big-picture items related to our Association and our industry. One of the items reviewed at the meeting and in a subsequent conference call was a CMSA Branding Initiative, with the goal of reviewing all aspects of our image presentation in advance of our 100th anniversary.

Chapter leadership is a critical element in the strength of the Association. In August, a meeting was held with Southern California Chapter Presidents for the annual leadership orientation. As always, it is exciting to be a part of this group's spirit of enthusiasm and support for the coming chapter year. Hopefully, all members will

take advantage of the opportunity to attend a chapter meeting and/or event.

Work on legislative issues continues to be a priority as the 2015 California legislative session comes to a close. Aug. 28 marked the final deadline for all bills to be passed by fiscal committees. Bills that are still alive go into the final two weeks of the legislative year with the goal of passing through both the Senate and Assembly before adjournment on Sept. 11.

As we reviewed the large quantity of bills currently in the legislature, we were struck by those that address independent contractor issues and the focus on "misclassification of employees." It's clear that this issue will continue to be an area of concern for our industry. As a result, CMSA is planning to conduct independent contractor seminars in both Northern California and Southern California in mid-November.

Since last year, your Association has been working to address concerns related to AB 1897 that became law in 2015. You may recall that CMSA sent out a "Liability on Client Employers" Member Alert in response to this legislative action. The good news is that our advocacy efforts have resulted in favorable language being

*(President's Comments cont. on page 4)*



## DISCOVER THE MANY BENEFITS OF WORKING WITH CHAMPION RISK.

With decades of experience advising our clients in the moving and storage industry, Champion Risk is proud to be **CMSA's endorsed employee benefits consultant.**

But there's more to Champion Risk than health and wellness. Turn to us for all your business insurance needs.

- Property
- General Liability
- Warehouse Legal
- Motor Truck Cargo
- Auto
- Crime
- Surety Bonds
- Umbrella
- Workers Compensation
- International Cargo
- Independent contractor coverage
- Captive Programs

**Champion Risk**  
& Insurance Services, L.P.



*An Affiliate of Wood Gutmann & Bogart Insurance Brokers*

Phone: 858-369-7900 | Web: [championrisk.net](http://championrisk.net)

CA License #0H18156

**(Chairman's Corner cont. from page 2)**

packing material to him and his crew so they can finish packing and loading the shipment. When I got there, one of his crew members had an allergic reaction to something in the customer's house, so I had to get him home so he could get some medicine. As I'm driving him home, I noticed that he lived quite a ways from our office. I asked him how long it normally takes him to get to work every day and he said it takes about an

hour and a half to two hours by bus. This happens to be a regular worker for us and it blew me away on his dedication to find his way in to work for our company. Just one of those simple reminders to be thankful for all of your employees and contractors who dedicate so much of their time and effort in making your companies strong.

Look forward to seeing all of you located in San Diego, Twin Counties and Orange County in September at your chapter meetings.

**(President's Comments cont. from page 3)**

added to a current Assembly bill, AB 1509, that has passed through the legislature and is sitting on the Governor's desk, awaiting his signature.

You should have received an email that included a draft letter asking Governor Brown to sign this legislation. If you have yet to send your letter of support, we encourage you to do so today.



## Join CMSA Chairman Longo & Friends in the Charity Walk to End Alzheimer's!

**Saturday, November 14, 2015 at 9 AM  
Angel Stadium in Anaheim**

Visit the link below or call the CMSA office at (562) 865-2900  
to join as a walker or donate to Team CMSA Chairman's Choice Charity:  
[http://act.alz.org/site/TR?team\\_id=295787&pg=team&fr\\_id=7356&et=iwjU2-q\\_-WOxekECZLRiRg&s\\_tafId=147682](http://act.alz.org/site/TR?team_id=295787&pg=team&fr_id=7356&et=iwjU2-q_-WOxekECZLRiRg&s_tafId=147682)



IT'S  
**ALL**  
WE DO.

TransGuard Insurance is the trusted name in moving and storage. For over 40 years we focused on the needs of the industry; we have done everything there is to do in the business and have solved every problem there is to solve.

With over 40 years of experience, we offer unparalleled knowledge and service.

**Contact Moving & Storage Programs**  
800.252.6725



[www.transguard.com](http://www.transguard.com)

(SB 350 continued from page 1)

report produced by the Los Angeles Economic Development Corporation noted that the petroleum industry is responsible for 468,000 jobs in the state, 104,000 of which are located in Los Angeles County.

The industry provides billions of tax dollars to the state and local government. If half of this is taken away, the job and economic losses to the state would be devastating.

### Energy Cost Impacts

In addition to the 50 percent reduction in pe-

troleum, SB 350 also seeks to increase the current Renewable Portfolio Standard from 33 percent to 50 percent as well as increase energy efficiency in buildings to 50 percent.

Both policies will significantly increase costs to ratepayers. California's energy price per kilowatt hour is among the highest in the nation and our energy efficiency standards are among the strongest. Upgrading current energy efficiency standards while increasing the cost of energy will make California's businesses less competitive.

Source: California Chamber of Commerce, *Alert*

## Stay Connected with CMSA!



<https://www.facebook.com/pages/California-Moving-and-Storage-Association-CMSA/88357662956>



<http://www.twitter.com/cmsa1>



CMSA Load Board  
<https://www.linkedin.com/groups/CMSA-Load-Board-6789576/about>



**After 109 years,  
we know what it takes  
to keep moving forward.**

**Stevens Worldwide Van Lines is  
committed to growing its agents and assisting  
them in building their local and interstate business.**

- Dedicated Agency Development Team
- Lead generation and appointment setting
- Real Estate partnership programs
- Financial and corporate stability
- Unlimited hauling potential
- Co-op advertising and marketing support
- International capabilities
- Agent payments made at time of billing
- Outstanding military business opportunities

To learn more about becoming a Stevens agent,  
contact Morrie Stevens, Jr. [agents@stevensworldwide.com](mailto:agents@stevensworldwide.com)  
800.678.3836, ext. 359

 Proud supporter of the National Breast Cancer Foundation, Inc.®  
**STEVENS®**  
worldwide van lines  
The Way to Move. The Way to Care. 

USDOT 72029  
**agents.stevensworldwide.com**

# OOIDA Member Delivers Dose of Regulation Reality to EPA, NHTSA

By: Jami Jones, *Land Line Managing Editor*

Senior Editor David Tanner contributed to this article.

Representatives of the Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA) held a listening session on Aug. 18 in Long Beach to get feedback on the newly proposed regulation on truck emissions and fuel economy.

And did they get feedback.

OOIDA Life Member Tilden Curl from Olympia, Washington, walked the panel through the realities he has faced on the road and in his business thanks to previous emission regula-

tions.

Curl detailed his truck ownership and fuel economy starting with a 1995 Peterbilt he bought for \$65,000. After 10 years with the truck, Curl had invested just less than \$95,000 in maintenance and repairs, including a rebuild and transmission. The last year he owned the truck he averaged 6.58 mpg.

In October 2008, Curl purchased a new aerodynamic, emission-compliant 2009 Kenworth for \$140,000. In seven years of ownership, Curl drove the truck more than 752,000 miles and had \$105,000 in maintenance

and repairs. He suffered significant downtime that hurt his income and reputation as a reliable carrier, he told the panel. And, in the end, the

*(Regulation Reality cont. on page 7)*

*"As I see it, these regulations, and a rush to push technology beyond tested capabilities, have cost me my retirement."*

—Owner-Operator Independent Drivers Association (OOIDA) Life Member Tilden Curl

## The CMSA Sponsored Workers Compensation Program

**Stable & Consistent  
Financially Strong  
Competitive Rates**

- AUTO LIABILITY
- AUTO PHYSICAL DAMAGE
- CARGO LEGAL LIABILITY
- WAREHOUSE LEGAL LIABILITY
- PROPERTY
- COMMERCIAL GENERAL LIABILITY
- CRIME
- SURETY BONDS
- UMBRELLA
- INTERNATIONAL CARGO
- INDEPENDENT CONTRACTOR WORK INJURY PROGRAM



Program Administrator

FOR MORE INFORMATION  
1-800-852-1968 [www.paulhanson.com](http://www.paulhanson.com) Lic. #OB64567

**(Regulation Reality cont. from page 6)**

truck was only able to achieve 6.15 mpg.

Finally giving up on the 2009 truck, Curl bit the bullet and bought a 2016 Kenworth earlier this year for \$167,000. He had originally planned to pay off the 2009 Kenworth and sock away what was the truck payment toward his retirement, he told the panel.

"As I see it, these regulations, and a rush to push technology beyond tested capabilities, have cost me my retirement. There is no mechanism in place to compensate small-business truckers for the costs of these mandates," he said. "We cannot afford for this to happen again."

Curl told the panel that there is a great deal of skepticism about promises of technology that will not cost much more, but will provide savings.

"With this widespread background of experiences, small-business truckers such as myself will find it hard to believe that a mandate from EPA/NHTSA will truly benefit them," he said.

He cautioned the panel against pushing ahead with mandates that force untested, unreliable technologies to market all for the sake of

compliance with regulations.

"There are other alternatives. I was able to achieve good fuel economy with my pre-emissions un-aerodynamic truck partly due to my driving skills. If those skills were taught to others, fuel economy would improve," he said.

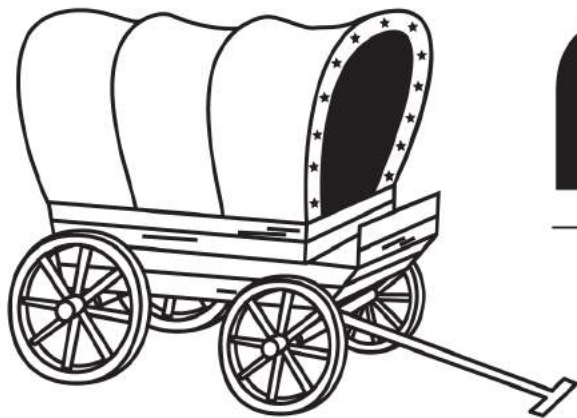
He also recounted a recent trip in which he was caught in congested traffic for an extended period of time and burned an additional 10 gallons of fuel—something that needs to be addressed across the country.

"The agencies are seemingly using facts they prefer with little regard for the burdens placed on small-business operations. Technology must have durability. That is crucial for success. We all want a clean environment. The question is: Is your focus in the right place?" he asked.

The proposal calls for equipment manufacturers to increase fuel economy and reduce carbon emissions by about 23 percent by model year 2027. The proposal is known as Greenhouse Gas Phase 2, or GHG Phase 2, and it goes well beyond a Phase 1 final rule that affects model years 2014 through 2018.

To achieve their desired environmental

**(Regulation Reality cont. on page 8)**



# PIONEER



**NOR CAL - LIVERMORE • 800-472-2546**

**SO CAL - SANTA ANA • 714-540-9751**



- **MOVING BOXES • PACKING SUPPLIES • TRUCK SUPPLIES • JANITORIAL SUPPLIES •**
- **RENTAL PROGRAMS • TRUCK/VAN & WAREHOUSE EQUIPMENT •**
- **CUSTOM WOODEN CONTAINERS •**

Livermore, CA ★ Lathrop, CA ★ Santa Ana, CA ★ Seattle, WA ★ Denver, CO ★ Phoenix, AZ ★ Chicago, IL  
(800) 472-2546 (800) 472-2546 (714) 540-9751 (253) 872-9693 (800) 275-1467 (602) 528-4140 (630) 227-1500

**FOR ALL YOUR MOVING AND PACKING NEEDS**

**(Regulation Reality cont. from page 7)**

gains, the EPA and NHTSA are proposing to regulate trailers and tires as part of the overall mix for commercial vehicles. They are also proposing to regulate glider kits for the first time.

The agencies are providing a menu of sorts for manufacturers to choose from using various components and technologies—some of which are unproven or could add to the ever-increasing cost of new equipment. The agencies predict that their proposal could add \$10,000 to \$13,000 to the sticker price for a new truck by 2027.

EPA and NHTSA are asking for stakeholder input before they push toward a possible final rule.

## **Phase 2 Greenhouse Gas Standards** **UPDATE**

**The EPA and NHTSA agencies have extended the Phase 2 comment period to October 1, 2015.**



**INTERNATIONAL ASSOCIATION OF MOVERS**

The International Association of Movers  
welcomes all California Moving & Storage  
Association members to attend the

IAM 53rd

## **Annual Meeting & Expo** **San Diego, California**

October 18–21, 2015

Register for the full conference  
at the IAM Member Rate or  
purchase one-day passes onsite  
at the Registration Desk.

Biggest Industry Association

Biggest Trade Show

Biggest Value



**[www.IAMovers.org](http://www.IAMovers.org) | [www.IAMmeetings.org](http://www.IAMmeetings.org)**



**BUDGET COVERAGE**

WON'T GIVE YOU THE BEST FIT

You can always shop around for cheaper insurance rates but you usually get what you pay for. The lowest price often gets you minimal service. At Vanliner you get high quality service, tailor-made for the moving and storage industry. You get what you pay for and more. Our seamless coverage includes loss prevention tools, competitive rates, unique coverage options and years of financial stability. It's easy to see how we earned our A.M. Best Rating of A Excellent. You'll see the quality and why we're worth every penny.

Want to learn more? For additional information, including the name of the Vanliner representative in your area, please call our marketing department at **1-800-325-3619**, or visit us on line at [www.vanliner.com](http://www.vanliner.com)

A.M. BEST RATING OF  
A EXCELLENT

  
**VANLINER.**  
INSURANCE COMPANY

UNIQUELY QUALIFIED. CONSISTENTLY BEST.

COMMERCIAL AUTO	WORKERS' COMPENSATION	MOVERS' AND WAREHOUSEMEN'S LIABILITY	UMBRELLA LIABILITY	INDEPENDENT OWNER OPERATOR PROGRAMS
GENERAL LIABILITY	COMMERCIAL PROPERTY	BENEFITS PROGRAMS	SPECIALTY COVERAGES	

# SALES AND RENTAL OF PRODUCTS FOR THE PROFESSIONAL MOVER IN STOCK, AND READY TO WORK FOR YOU

## > bobtail trucks

packing tape  
rubber bands  
panel carts  
floor runners  
shrink wrap

## > library carts

masonite carts  
appliance trucks  
fire extinguishers  
tape dispensers  
shoulder dollies  
pallet vaults

## > walkboards

padlocks

## > e-crates

ladders  
lift levers  
curb ramps  
camera carts  
movers tape  
wheel chocks

## > 4 wheeled dollies

burlap moleskins  
corrugated paper

## > furniture pads

security seals

## > bubble pack

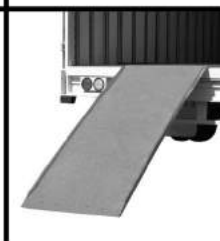
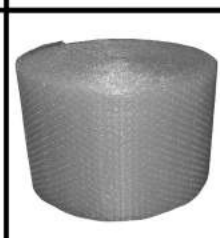
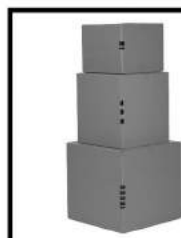
kraft paper  
steel strapping  
rubber tarp ties  
tubular webbing  
sisal twine

## > carton dollies

furniture skates  
finish repair kits  
carton sealing tape  
office machine carts

## > corrugated cartons

auto split ramps  
carpet runners  
boards



Los Angeles  
800-421-8700

San Leandro  
800-624-7950

[www.newhaven-usa.com](http://www.newhaven-usa.com)

# New Member Spotlight



**TWO MEN  
AND A  
TRUCK®**

**"Movers Who Care®"**

***"Two Men and A Truck Pasadena** is the nation's first and largest local moving franchise. Known as the "Movers Who Care," Two Men and A Truck Pasadena is committed to exceeding customers' expectations. All franchises offer a full-range of home and business moving services as well as boxes and packing supplies."*



***"All Star Movers & Storage LLC** is locally owned and operated moving company. Owners with 18 years of experience in residential and commercial moves. Fully licensed and insured moving company serving the entire California state. Movers are trained and experienced."*

## MEMORIAL BULLETIN



### **Linda Black**

**July 1, 1948–August 17, 2015**

CMSA member Linda Black passed away Monday, Aug. 17.

She was active in the CMSA Greater Los Angeles Chapter for many years.

Linda also assisted in claims manual seminars and in the production of the previous CMSA

claims manual.

She is survived by her husband, John; her son, Ed, and daughter-in-law, Dawna; daughter, Cameron; step-daughter, Kandi and her husband, Pete; John's son, Doug, and his wife, Kathy; and 11 grandchildren.

# California Senate Panel Advances Transportation Plans

By: Keith Goble, *Land Line State Legislative Editor*

California state lawmakers have the ball rolling in their pursuit of plans to address some of the \$59 billion in state transportation needs over the next decade.

Back from summer recess, the Senate Transportation and Infrastructure Development Committee met recently to consider multiple funding options. The meeting was part of a special session on transportation.

The panel voted along party lines to approve a plan to raise about \$4.3 billion annually for infrastructure largely through higher fuel taxes.

Sponsored by Sen. Jim Beall, the committee chairman, the bill would increase the state's excise tax on gas and diesel by 12 cents.

Beall (D-San Jose) has said the state "must act now" to provide more resources for state and local roads.

"The state transportation system is critical to California's economic wellbeing," Beall testified. "It enables us to move goods and people around and through our state. All of us who drive share the responsibility to maintain our roads."

Senate Republicans say that instead of raising taxes to fund road and bridge repairs, they would prefer to see reform measures adopted to pay for upgrades.

Other revenue enhancers included in the bill, SBX1 1, would gradually increase vehicle license fees by 1 percent, raise vehicle registration fees by \$35 and subject zero-emission vehicles to an annual \$100 fee.

In addition, the bill includes a requirement that all revenue would be used solely for road and bridge work, and \$300 million annually would be used for improving freight mobility at ports.

The state would split all new revenue each year with cities and counties.

Speaking at the Port of Oakland recently, Gov. Jerry Brown did not offer up any details for where new revenue will come but the

Democratic governor said it must come from somewhere to help fix the state's ailing transportation infrastructure.

"It's fundamental that California be able to move goods and people in a modern, efficient way," Brown said. "This is critical to California prosperity."

Any tax increase requires approval of two-thirds of the Legislature. The Democratic majority in both statehouse chambers falls short of the threshold necessary for passage of a transportation bill out of the special session that must wrap up by Sept. 11.

Another bill approved with unanimous consent by the committee is intended to reform the California Department of Transportation.

SBX1 12 would establish the California Transportation Commission as an independent oversight agency to approve individual repair and maintenance projects.

The commission now is part of the agency, which Sen. Sharon Runner (R-Antelope Valley) says limits the ability to effectively review and oversee projects.

"Before increasing taxes and fees to generate new revenues for our transportation infrastructure, existing funds should be spent efficiently," Runner said.

One more bill to advance from the committee would create a Transportation Inspector General (IG) to investigate Caltrans and the High-Speed Rail Authority. The IG would be responsible to report back to the Legislature any instances of fraud, waste and abuse.

"SBX1 13 would give the Legislature the tools it needs to hold Caltrans and the High-Speed Rail Authority accountable, and ensure that every transportation dollar is spent efficiently and appropriately," said Sen. Andy Vidak (R-Hanford).

The bills await further consideration in the Senate Appropriations Committee before moving to the Senate floor.

# Landmark NLRB Decision Likely to Change the Rules on Joint-Employer Status

By: Paul Finkle, *SharedHR*

On August 27, 2015, the National Labor Relations Board (NLRB) issued a much anticipated decision in a case known as *Browning-Ferris Industries of California*. The decision significantly broadens the legal definition of joint-employer. This means that an organization that would normally be considered as an unrelated entity, which is not involved in the hiring, firing or supervision of another (direct) employer's employees, can now be connected as a joint-employer and bear the same responsibilities as the direct employer under the National Labor Relations Act (NLRA).



The NLRB under *Browning-Ferris* established a new test for the definition of joint-employer. In summary, two otherwise unrelated employers may be found to be a joint-employer for the same employees "if they share or code-terminate those matters governing the essential terms and conditions of an employment." In determining whether a business relationship (think franchisor-franchisee) meets this standard, the initial inquiry is whether there is a common-law employment relationship with the employees in question. The relationship will turn on whether the potential joint-employers both possess sufficient control over

(*Joint-Employer Decision* cont. on page 13)

## TIME TO MAKE YOUR MOVE

**What will it be?** Embrace the future or hold on to status quo? Join the top movers who've already upgraded to the #1 industry leader — MoversSuite. Why did they make the change? Better software means smoother operations, lower costs, and bigger profits. MoversSuite sets the gold standard for moving enterprise software. Our founders are moving industry professionals, not just programming geeks. This platform is dialed in — ready to roll:

- ▶ **Tiered editions** and subscription billing make upgrading your business fast and affordable.
- ▶ **Preloaded GL** designed by industry pros, but easily tailored to your COA.
- ▶ **Cloud-based** puts real-time management in your hands anytime, all the time.
- ▶ **Online** accessibility means no expensive upfront hardware costs.
- ▶ **U.S. based product support** for one-on-one help every step of the way.
- ▶ **Free training** throughout the year to optimize your people capital.



**MoversSuite**  
by EWS

Learn how your business can get the gold standard, MoversSuite, today.

👉 [ewsgroup.com/cmsa](http://ewsgroup.com/cmsa)

***(Joint-Employer Decision cont. from page 12)***

the essential terms and conditions of employment “to permit meaningful collective bargaining.”

This new NLRB decision will affect both unionized and non-unionized employers (even if some of the entities have no employees of their own). Moreover, this ruling will have broad implications for other employment laws and government agencies including the Department of Labor, the Equal Employment Opportunity Commission and Occupational Safety and Health Administration. State laws could also be affected by this case. It is anticipated that the Department of Labor’s Wage and Hour division, which issued its own guidance on independent contractors last month, will also weigh in on the joint-employer issue for franchisers, contractors and parent companies.

**Background**

The *Browning-Ferris* case involved a representation petition filed by Teamsters Local 350 to represent sorters, housekeepers and other workers employed by Leadpoint, a subcontractor performing housekeeping work at a Brown-

ing-Ferris facility. The petition for representation claimed that Browning-Ferris, a waste and recycling services company, was a joint-employer with Leadpoint because it contracted with Leadpoint to engage the services of temporary labor to sort materials, clean screens and work on sorting equipment related to the cleaning of the recycling facility. Initially, the NLRB Region 32 (Oakland/East Bay Area) issued a decision holding that Leadpoint was the sole employer based on the fact that it alone hired, disciplined, compensated and terminated employees. An election was held, but the ballots were impounded based on a request by the union to reconsider whether Browning-Ferris and Leadpoint were joint-employers. The NLRB granted review and issued the decision on April 27, 2015.

**Significance**

This decision will certainly be challenged by many employers in the future; however, the implications are vast. For example, in the fast food industry, McDonald’s corporate could be held to be involved as a joint-employer with a

***(Joint-Employer Decision cont. on page 14)***



The nation’s leading supplier to the Moving and Storage industry. Our full line of van equipment and products, ongoing innovation, and unmatched network of locations provide the solutions movers need. The “standard equipment at best value” is just another reason to work with **Golden State Container!**

At **Golden State Container** we offer the experience and expertise to significantly lower the total cost of packaging.



**Golden State  
Container**

We are *Architects* of Packaging Solutions



**CONTACT  
GOLDEN STATE CONTAINER  
TO LEARN MORE:**



Northern CA 800.817.5581  
Southern CA 800.288.5100  
goldenstatecontainer.com



**Send Us an Email**  
moversales@goldenstatecontainer.com

McDonald's independently owned franchisee. That would mean McDonald's corporate would have collective bargaining obligations with multiple franchised organizations where union organizing elections were won. This decision could impact virtually every industry sector that has relied on its business structure based on Supreme Court precedent and over thirty years of settled national labor relations case law. The prior definition has been that so long as an overarching entity did not possess or exercise direct control of the employer/employee relationship, such entity would not be considered as a joint-employer under the National Labor Relations Act.

Any organization that seeks to begin to proactively protect itself from this potentially highly disruptive decision should consider the following steps:

1. Review and modify service agreements with third parties to establish further arm's-length relationships.
2. Ensure that third parties clearly establish their independent and separate terms

and conditions of employment as evidenced by employee handbooks and policies.

3. Clearly distinguish work performed by the other entity's employees as opposed to the primary duties of the overarching employer.
4. Consider project payment structure other than hourly wages plus markup for services rendered by non-employees.

This decision may radically change unions' ability to organize groups on a national basis and turn the clock back to much more significant union influence as it existed decades ago. In 1981, 27 percent of the nongovernment U.S. workforce was union. Today, by most statistics, that number is less than 7 percent. This decision could radically change the employer and business structure landscape. Employers are encouraged to take this decision seriously and to begin reviewing business relationships in this new light.



*If they're only looking out for #1,*

**who's looking  
out for you?**

**D**on't settle for a partner who doesn't see you as a top priority. Discover what it's like to collaborate with a company whose passion is to be the best in the industry. And, most important, truly values its relationships with every agent.

Learn more – call Fred McBroom at 800-932-7799, ext. 768, or visit [joinwheatonbekins.com](http://joinwheatonbekins.com).

**Wheaton**  
WORLD WIDE MOVING  
*We move your life®*

**BEKINS®**

PARTNER COMPANIES

©2015 Wheaton World Wide Moving. We move your life® is a registered trademark of Wheaton World Wide Moving USDOT 70719 MC 87113

Bekins® is a registered trademark of Bekins Van Lines, Inc. USDOT 2256609 MC 770031

# Who IS NOT an Appraiser?

By: Brenda Murray, *ISA-Member Appraiser*

With your claims on high-valued items, many of you receive all kinds of documentation to "prove" the value of their claimed amounts. Several of your claimants even consider these documents to be "appraisals." However, most of the time, it is just a receipt or a favor from the seller. Those documents are nice to have, but they do not always give you an unbiased value. They do sometimes give valuable information that helps an appraiser to determine the current "replacement cost" appraised value. So, how do you determine a fair replacement cost and what is it? Who is an appraiser and who is not?

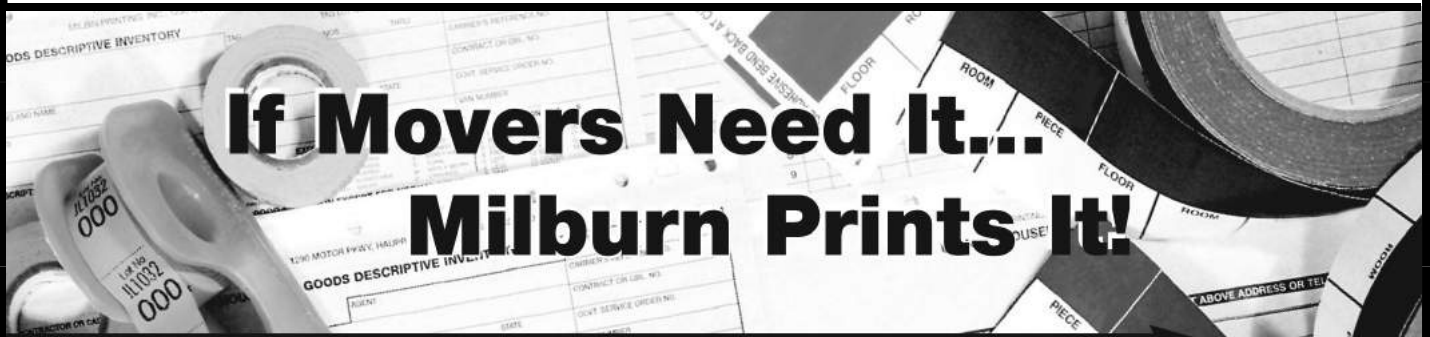
Replacement cost is primarily an insurance term meaning the cost to replace an item with another having similar qualities within a reasonable amount of time in the relevant marketplace. It takes into consideration possible costs incurred by engaging an interior designer, shipping and the costs associated with purchasing from a specific source. (I understand, however, that many transit policies do not include some of

the costs incurred listed in this definition). It is best, in my opinion, to state the replacement cost alone unless I am asked for additional costs.

## The Antique Store Owner

A person who sells antiques is not an official appraiser. He/She can give you amounts that his/her items sell for. Again, owners profit from the sale, so they cannot appraise their own items. You must research current market values. The condition of the item is important. The person who sold it to your claimant might not know that little Johnny used the antique 1850s desk worth \$4,000 to color with markers or that the dog chewed on the leg. The original receipt from the store has little or no bearing on today's condition and the current value. Receipts do give some vital information in regards to descriptions that help the appraiser. It may state the age, kind of wood it is made of, era and any provenance they may have. These are always

*(Who Isn't an Appraiser cont. on page 16)*



**If Movers Need It...  
Milburn Prints It!**

***It's simple, one call to us and your job is done.***

- Our Knowledgeable Staff is always ready with ***Real Answers*** to Your Questions!
- ***Decades of Experience*** Servicing the Moving & Storage Industry
- Membership in ***all Moving & Storage Associations***
- 24 Hour Ordering at ***www.milburnprinting.com***
  - Inventory Tape • Container & Baggage Seals
  - All California Forms: Combination Agreement for Moving Service and Bill of Lading, Estimated Cost of Services, Change Order for Service, Important Notice To Shippers, Shipper's Consent to Use of Electronic Documents and Electronic Signatures
  - Interstate Bill of Lading, Estimate, Order for Service and Consumer Booklets

**800.999.6690**  
**www.milburnprinting.com**

**MILBURN**  
PRINTING

*(Who Isn't an Appraiser cont. from page 15)*

helpful to the appraiser, but the receipt or letter is not an appraisal. However, many claimants think that this proves their value. They could not be more wrong.

### **The Specialty Rug Store**

Antique rugs vary in price. Antique stores and malls can charge huge amounts. Specialty rug stores in metropolitan areas are going to charge top dollar. You must have someone who can research the replacement cost. Just because someone paid a crazy price for the rug doesn't mean that it is fair in regards to cash-outs. Customers' jacked up spending habits are not your company's fault. You should not have to pay out for their extravagance or lack of knowledge. The cost needed to replace the rug is what is a fair settlement amount. What they paid for it is most likely not the value today. Economic issues affect today's prices.

### **The Art Gallery Employee or Owner**

Recently, I received an appraisal assignment on a very expensive bronze sculpture. With it

came an "appraisal" from the art gallery where they purchased it 15 years ago. The art gallery said it was worth 50 percent more today than it was when they originally purchased it. This "appraisal letter" or even the receipt is of little use. What someone paid for a piece of art 15 years ago has little relevance on the replacement cost today. This is not an appraisal. It is a receipt for the piece or a letter stating what that particular gallery feels their sold art should be worth today. They will always give it a high value for their customer. They want customers to use their company to replace the piece and for future purchases. The art gallery has a vested interest in the value of the art. As stated above, you cannot profit from the sale of something and determine its value. It is just not ethical. The art world has suffered along with the rest of the world in these economically hard times. Therefore, it doesn't matter as much what someone paid for the art unless it has been a recent purchase. Even then they may have paid more than it is worth. Art prices fluctuate. Appraisals dating from the art boom years subsequent to 2008, for instance, can

*(Who Isn't an Appraiser cont. on page 17)*

# MAKING THE COMPLICATED SIMPLE.



## Complete Billing Services

- Department of Defense
- Department of State (DOS)
- Non-Temporary Storage
- National Account
- Agent
- GSA



Expert billing and invoicing. *Simplified.*

For over 35 years, Daycos has been simplifying the complexity of government, agent, and national account invoicing. With custom software and trained invoicing experts, you can be certain of the accuracy of Daycos' billing, invoicing, and post-audit services. After all, it's our specialty.

800.366.1440 | Norfolk, NE | [www.daycos.com](http://www.daycos.com) | [blog.daycos.com](http://blog.daycos.com)

## Calendar of Events

Thurs., September 10	San Diego Chapter Meeting	Thurs., October 22	Sacramento Chapter Meeting
Wed., September 16	Greater Los Angeles Chapter Meeting	Wed., November 11	San Diego Chapter Meeting
Wed., September 16	Monterey Bay Chapter Meeting	<b>Fri., December 4</b>	<b>Northern Region Holiday Crab Feed</b>
Tues., September 22	Twin Counties Chapter Meeting	Thurs., December 17	Sacramento Chapter Meeting
Wed., September 23	O.C./Beach Cities Chapter Meeting	Wed., January 13	San Diego Chapter Meeting
<b>Fri., October 2</b>	<b>Monterey Bay Chapter Golf &amp; Bocce</b>	Wed., February 10	San Diego Chapter Meeting
<b>Mon., October 5</b>	<b>O.C./B.C. Chapter Golf Tournament</b>	Wed., February 17	Northern Region Chapter Meeting
Tues., October 6	North Bay Chapter Meeting	Thurs., February 18	Sacramento Chapter Meeting
Tues., October 13	Greater Los Angeles Chapter Meeting	<b>Wed., March 9</b>	<b>San Diego Chapter Golf Tournament</b>
Wed., October 14	San Diego Chapter Meeting	Wed., April 13	San Diego Chapter Meeting
Wed., October 14	Ventura/S. Barbara Chapter Meeting	<b>2016 CMSA Convention</b> <b>May 10 to 15</b> Resort at Squaw Creek in Olympic Valley, CA	
Thurs., October 15	Central Valley Chapter Meeting		

*(Who Isn't an Appraiser cont. from page 16)*

easily state a dollar amount well beyond what the art currently sells for. Nearly every piece of art that is listed on a claim form should be sent to an appraiser. It most likely will save you thousands if it is an expensive piece of art. I have a dear friend who is an art distributor. Recently, he stated to me that some art is worth 25 percent to 75 percent less over the last few years. It depends on the artist and the piece. Some pieces are holding their ground in value while others are not.

### **The Artist**

The artist cannot appraise his own work. He is, of course, in love with his own creations. He is emotionally and financially invested in his art. If you call or email him concerning the damaged art, he is "devastated by the loss." However, I do contact the artist if he is still alive and verify that it is indeed his work and what he would charge for repairs or replacement. I emailed an artist recently and received an email stating that the

*(Who Isn't an Appraiser cont. on page 18)*

*(Who Isn't an Appraiser cont. from page 17)*

photo I sent was not his work. It is important to verify the artist's work. I also check to see if they will repair the art. If they can recreate it, then there is little to no loss of value. I always contact the artist, but the only figures that matter are documented prices for what the art is selling for on the open market today. Art should be appraised every two to three years since the markets change so rapidly.

Since we want the replacement cost to be fair and unbiased, the above people who could profit from these transactions or even future transactions are not appraisers. Remember that the appraiser should have ISA (International Society of Appraisers), ASA (American Society of Appraisers) or AAA (American Association of Appraisers) designation after their name. There are a few other appraisal organizations, but these are the top three. Some specialists have a world of knowledge, but they are not appraisers. Call an appraiser from one of the organizations above before you give the claimant what his/her 2006 receipt states.

If you have questions, most appraisers are only a phone call away.

## Atlas Transfer Donated Services to Nonprofit Center

**Atlas Transfer & Storage Co.** donated moving and storage services to the Center for Community Solutions (CCS) in San Diego. CCS is a nonprofit that supports 10,000 adults and children every year who are affected by domestic violence, abuse and assault.

"It is the outpouring of love and support like yours from our community that really does make a difference in helping [individuals] find hope, comfort and re-establish their lives," said CCS Executive Director/CEO Verna Griffin-Tabor and CCS Associate Executive Director Edith Glassey in a thank you letter to the company.

The organization also provides emergency domestic violence shelters, hospital and court accompaniment and counseling services.

**Atlas Transfer & Storage Co.** in San Diego is an agent of Allied Van Lines.

## The POWER of EMAIL NEWSLETTERS by Moversville

### What We Do:

Moversville creates and sends engaging email newsletters for moving companies to market to previous customers, local real estate agents, and other referral advocates. Monthly content creation can be done 100% by us, or you can decide your level of participation.

Don't think of customers as "one and done". Email newsletters secure customers for life, increase referrals, and provide long-term growth for your moving company. Service with Moversville is month to month, no contracts. Call Today!

### Benefits:

- Significant increase in repeat & referral business
- Increased brand & community awareness
- Fresh newsletter created & sent every month like clockwork
- Newsletters that render properly on all devices
- Positive reviews to Google+ and Yelp
- More hidden benefits: [www.moversville.com/advantages](http://www.moversville.com/advantages)



**[www.moversville.com](http://www.moversville.com)   [moversville@gmail.com](mailto:moversville@gmail.com)   (650) 212-6497**

## Turner Moving & Storage Wins Napa Award

NAPA—Turner Moving & Storage has been selected for the 2015 Best of Napa Award in the Moving Services category by the Napa Award Program.

Each year, the Napa Award Program identifies companies that it believes have achieved exceptional marketing success in their local community and business category. These are local companies that enhance the positive image of small business through service to their customers and the Napa community.

**AMERICAN**  
**AUCTIONEERS**  
LIQUIDATORS - APPRAISERS - AUCTIONEERS

Highest dollar realized  
Largest buyer base  
Sold by the vault or piece  
Experienced Auctioneers

800-838-7653



## CLASSIFIED ADVERTISING

CHARGES: 1-5 lines \$15; \$2 each additional line. CMSA box number \$5. Special heading/setup extra. Call Brianna Wahlstrom at (562) 865-2900 to place your advertisement.

### BUSINESS WANTED

We are interested in purchasing all or a part of your business. We are able to provide quick cash for certain assets. We can assist in an exit strategy. Major CA markets are desired. Discussions will be in strictest confidence. Send information to CMSA, Box J1, 10900 E. 183rd St., #300, Cerritos, CA 90703.

### EMPLOYMENT OPPORTUNITY

Looking for managers in L.A./Orange and Northern Bay Area. Must be extremely computer literate. Must be good with people and should have experience in the Moving and Storage Industry. Send resumes and letters of inquiries to: CMSA, Box J2, 10900 E. 183rd St., #300, Cerritos, CA 90703.

### EMPLOYMENT OPPORTUNITY

HELP!!!

AMS Bekins in Burlingame CA needs your help. We are looking for an experienced Customer Service/Sales Coordinator as well as an experienced accounting individual. Both positions require industry experience. AMS Bekins is a top-rated, award-winning agent who knows how to get it done. We are a 65-year-old family-owned and -operated company. Extremely busy office with a team atmosphere and a fun place to work. You are guaranteed to laugh daily. Good pay, good benefits and a great place to work. If interested, call Gary Wolfe directly at 650-259-2750 or send resume to gwolfe@amsbekins.com.

### WANTED: USED MOVING EQUIPMENT

We are looking to purchase used moving equipment that is still in good condition. Items including storage vaults, appliance dollies, hand trucks, 4-wheelers, pads (including skins) are some of the items we are interested in. Please contact Kelly at kelly@losangelesmoving.com to discuss.

### EMPLOYMENT OPPORTUNITY

Rebel Van Lines is looking to hire an experienced and aggressive residential Household Goods Salesperson/Estimator for Los Angeles and Orange County areas. Email resume to: nan@rebelvanlines.com.

### EMPLOYMENT OPPORTUNITY

Rebel Van Lines is looking to hire Class A & B drivers. To apply, please email nan@rebelvanlines.com or call 800-421-5045.

### EMPLOYMENT OPPORTUNITY

McCarthy Transfer & Storage is looking to hire an experienced (at least one year) residential Household Goods Salesperson/Estimator/Surveyor for the San Diego County area. Please email your resume to thomas@mccarthytransfer.com.

### EMPLOYMENT OPPORTUNITY

Rebel Van Lines is looking to hire an experienced/certified installer for our O&I/Install division. Please email resume to: nan@rebelvanlines.com.

### MOVING EQUIPMENT FOR SALE

Time to get ready for summer, 40-foot drop frame flatbed trailer for sale. Great for city vault deliveries or pickup. Holds 7 5-foot SIT vaults. Has 7-foot deck. 1970 Western Flatbed Trailer. Hook up and drive away for \$2,500.00. Has clear title. Call Tim McCarthy at 619-596-2594.

**Need to place an ad to hire new employees  
or sell any trailers?**

**Call CMSA today at (562) 865-2900 for classified ad pricing!**

# HISTORICAL PHOTO

As the CMSA closes in on its 100th year, join us in looking back down memory lane at these wonderful historical pictures. If you have any pictures you would like to share, please email them in JPEG format to: [bwahlstrom@thecmsa.org](mailto:bwahlstrom@thecmsa.org).



*Released from the CMSA vault, this 1961 Convention photo was taken during the Chairman's Ball at the Riviera Hotel in Palm Springs. Although we can't identify the first two gentlemen on the left, we can name the last four on the right: then-Outgoing Chairman William Goines Jr., former Chairman James Nevil, then-Incoming Chairman Don Estrin and California Governor Pat Brown.*



**DEWITT  
MOVE WORLDWIDE**  
A DEWITT COMPANY

**YOUR ONE STOP CONNECTION**  
to Hawaii, Alaska & Guam



## OFFERING WEEKLY CONSOLIDATIONS



*Royal Hawaiian Movers*  
A DEWITT COMPANY

### HAWAII

We offer twice weekly service to all islands. Our rates include fuel surcharges and delivery services up to 50 miles from the port of **Oahu, Maui, Hilo or Kona.**



**ROYAL ALASKAN MOVERS**  
A DEWITT COMPANY

### ALASKA

Our all in rate includes fuel surcharges and delivery services up to 50 miles from the port of **Anchorage, AK.**



*DeWitt Guam*  
A DEWITT COMPANY

### GUAM

We are the Guam experts. Our all in rates include fuel surcharges and delivery services anywhere in **Guam.**

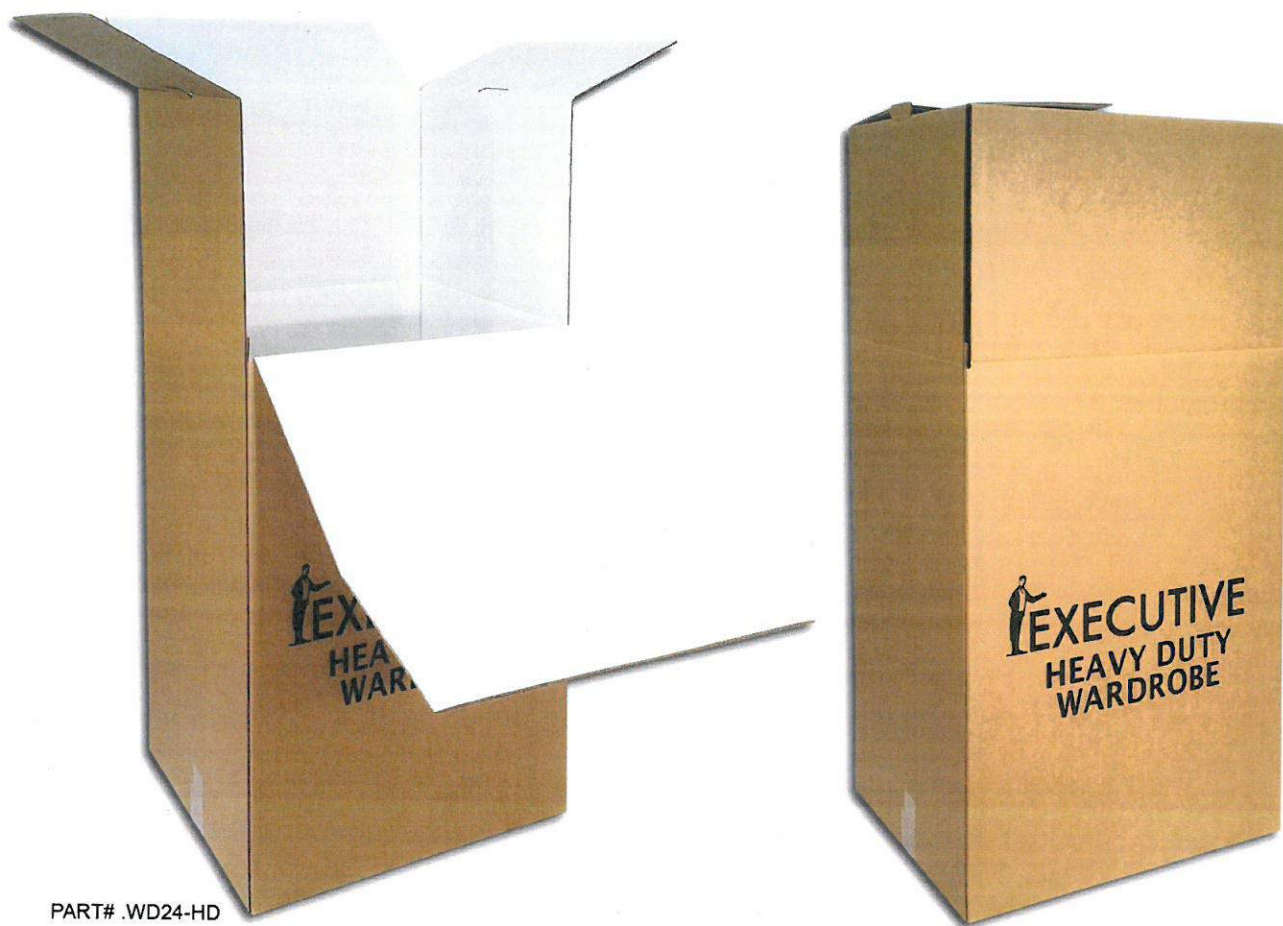
**CONTACT US FOR A QUOTE TODAY**

[www.DeWittMove.com](http://www.DeWittMove.com)  
[info@DeWittMove.com](mailto:info@DeWittMove.com) | 858.560.1621



**CDS MOVING  
EQUIPMENT**

# EXECUTIVE HEAVY DUTY 24" WARDROBE



PART# .WD24-HD

**24" x 20" x 47 3/8"**

Heavy Duty 350# Double Wall

Twice as strong and will last twice as long.

White inside liner that is appealing to customers.

Your customers deserve The Executive treatment!

Save money and make an impression with The Executive HD Wardrobe.

**Los Angeles**  
800-225-3659

**S. F. Bay Area**  
800-323-6559

**Sacramento**  
800-439-3934

**Las Vegas**  
888-323-6559

**Chicago**  
888-795-0199