W W W . T H E C M S A . O R G

FEBRUARY 2024

Congress Passes Bill to Protect Moving Privacy

Legislation designed to protect people's personal information during a move

was recently cleared by Congress for President Joe Biden's signature.

The Moving Americans Privacy Protection Act, cleared by the Senate on Jan. 31, would safeguard certain identifiable

information of individuals moving internationally.

The House passed it on Jan. 18. Its sponsors include Reps. Mike Waltz (R-Fla.) and Bill Pascrell (D-N.J.) in the House and Sens. Gary Peters (D-Mich.) and Steve Daines (R-Mont.) in the Senate.

"Due to the current public disclosure of cargo manifests, our servicemembers and their families experience a higher risk of identity theft and fraud as they move abroad," Waltz said after the measure's passage in the House last month. "It is critical

we take the necessary steps to protect them against dangerous and fraudulent activity.

That's why I am proud to pass legislation in the House to secure international travel and help safeguard the livelihoods of Americans."

"It's simple — the private information of Montanans and our service mem-

bers should never be jeopardized just because they are moving or traveling abroad," Daines said. "Safeguarding Americans from identity theft and fraud is a top priority of mine and I'm glad to see our commonsense, bipartisan bill one step closer to becoming law."

The bill's provisions are specific to individuals moving internationally with household goods. It would require U.S. Customs and Border Protection to remove personally identifiable information from cargo manifests before public disclosure. Such information

(MOVING PRIVACY continued on page 6)



REGISTER NOW!!!

The 2024 CMSA Convention will be held at the Hilton Waikoloa Village on the "Big Island" of Hawaii!

April 30-May 5, 2024

Click <u>here</u> for the convention kiosk.

Convention Forms are included in this issue.



CHAIRMAN'S CORNER by Jesse Chabot

Let me set the scene ... who knew when we began our day, the sun was shining down on us. It was just a beautiful day, and this would be my last day ...

(as chairman). We pulled into this quaint little restaurant in North Hollywood like we would've any other time, knowing our friends since the beginning. Having the opportunity were inside for a great LA chapter meeting. The tequila and margaritas were flowing. and all were having a good time. Little did we know by nightfall, it would be storming rain so hard you could barely see in front of your face and that this would be our last meeting ... (for me as chairman). The meeting went off without a hitch, fun was had, laughs all around, and again, it would be the last meeting I would ever speak at ... (as chairman). As the meeting ended, we all scurried to our cars, trying not to get soaked by the heavy rain to no avail. That's when it

hit me like a shot in the chest. This would be my final CMSA meeting ever ... (as chairman).

Just wanted to add a little spooky into my column. Hope you liked it. We did it! We finished our tour of all 12 California Moving and Storage Association chapters. It has been a wild ride, more rain than I would have liked, but all in all, it was an awesome time getting to visit with people, some I've never met and some I've been friends with to see your offices and how our businesses are so much alike, and so different all at the same time. I appreciate everybody who took us on a tour and took the time out of their day to go to one of our meetings. I cannot thank you enough. And to my buddy Steve, thank you for being my tour guide, mentor, and friend. I could not or would not have done this without you.

Now prepare for the California Moving and Storage Association's 106th annual convention at the beautiful Hilton Waikoloa.

(CHAIRMAN'S CORNER continued on page 5)





PRESIDENT'S COMMENTS
By Steve Weitekamp

Let's be clear: we all understand that Household Goods Moving has been challenged ever since the rise of interest rates in July of 2023. The home sales boom that had been our reality

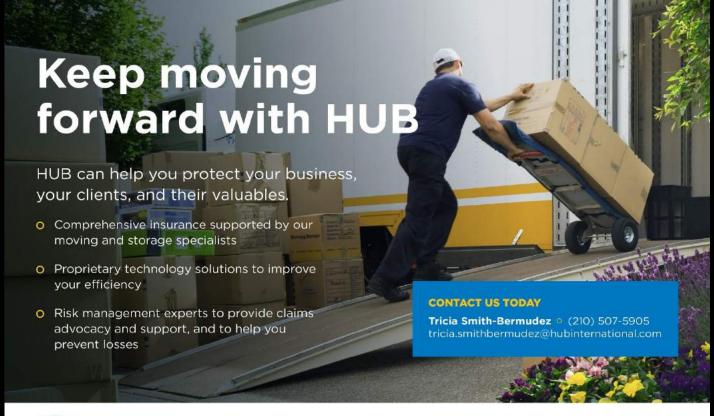
since the early summer of 2020 seemed to many of us to come to a rather abrupt stop in the summer of 2023. The longest peak season in our industry's history ended, and many companies quickly found themselves in a difficult position. All the more reason for diversification, a subject for another column. More than a few have shared that even though their top line was at record levels during this period, it didn't always provide an opportunity to squirrel away gains because the pandemic-related top-line gains also brought with it significant pressures to the bottom line. A result of significant cost increases associated with service. Movers

experienced increases, sometimes dramatic and so far, permanent, in areas such as labor, equipment, corrugated and woodbased materials, fuel, insurance, and real estate, to name some of the more critical and impactful areas.

While we as a national industry have been impacted, we are not alone, and the Board of Governors of the Federal Reserve System is working to reduce inflation down to a nominal rate of around 2% inflation and with that, a reduction in interest rates that would surely positively impact home sales and the moving industry. Economists generally believe that interest rates will begin dropping this summer and cite the fact that inflation appears to be moderating and historical financial cycles related to a presidential election involving an incumbent as reasons for optimism.

I know many of the impacts our industry is experiencing, having faced several major economic cycles as a mover and an association executive. In a down cycle, we frequently reach for every perceived oppor-

(PRESIDENT'S COMMENTS continued on page 4)





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(PRESIDENT'S COMMENTS continued from page 3)

tunity, some of which can lead to potential negative issues. Some assume, correctly or not, that others are taking away opportunities that are rightfully theirs. This can lead them down the rabbit hole of illegal/unlicensed operators and raise concerns that regulators don't understand or appreciate the legal and permitted mover's challenges.

Having regular engagement with the leadership and staff at the Bureau of Household Goods and Services (BHGS), I can tell you this is not the case. They understand that those working to follow the regulations and serve the moving public to the best of their ability have been challenged during this downturn. Their philosophy of focusing resources on the significant issues that are frequently the common practice of the illegal/unlicensed operator has not changed. While movers search social media for potential violators, BHGS enforcement staff follows the Department of Consumer Affairs (DCA) enforcement protocol, which involves

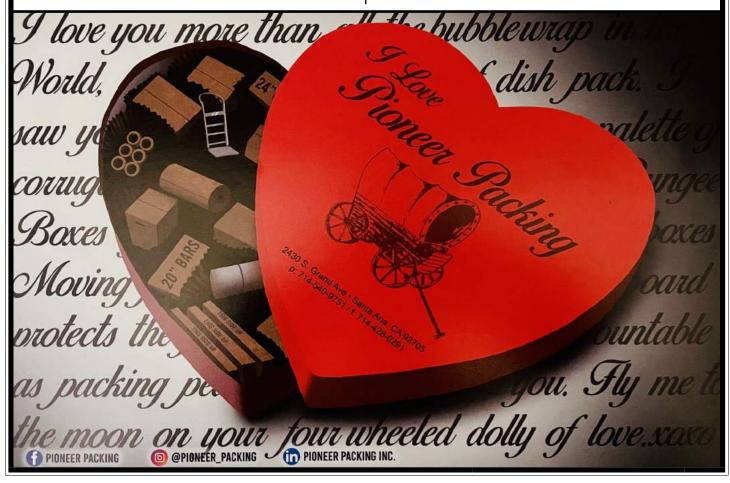
a hierarchy of enforcement actions based on consumer complaints that contain allegations based upon potential consequences. Complaints related to gross negligence/incompetence, elder abuse, and fraud are given the highest priority.

It is difficult for me to envision a regulatory agency that could do a better job for movers and the moving public than BHGS. That being said, there is always room for improvement for all of us. And we will continue to advocate for our members, the legal and permitted mover.

I encourage you to register for our upcoming convention before the hotel stops offering rooms at the terrific rate that we were able to negotiate.

Hope to see you there!





(CHAIRMAN'S CORNER continued from page 2)

You should already be registered. You do not want to miss out on hearing me talk just a little more and seeing me one more time (as chairman), not to mention the beautiful pools and beaches. Send your registration in now. He manu ke aloha, 'a'ohe lālā kau 'ole. (No task is too big when done together by all). We need you there. We truly are better together.



106th Annual CMSA Convention Hilton Waikoloa Village Waikoloa, HI April 30 - May 5, 2024





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(MOVING PRIVACY continued from page 1)

includes passports and Social Security numbers.

According to background information about the bill from Daines' office, "in recent years, [personally identifiable information] of relocating individuals has been released, enabling identity theft, credit card fraud, and unwanted solicitations.

[Customs and Border Protection] does offer a process for consumers of shipping services to make their information confidential. However, these forms [typically] take two months to process and are often

processed after the individual has moved. Consumers should not have to request the confidentiality of their PII; it should be the default."

Several stakeholders, such as American Trucking Associations, touted the bill's passage in Congress. "Conventional political wisdom says not much gets done on Capitol Hill during an election year. We simply don't accept that. Our industry works hard every day to deliver for the American people, and we expect Congress to do the same," said ATA President Chris Spear on Jan. 31. "The passage of this significant piece of leg-

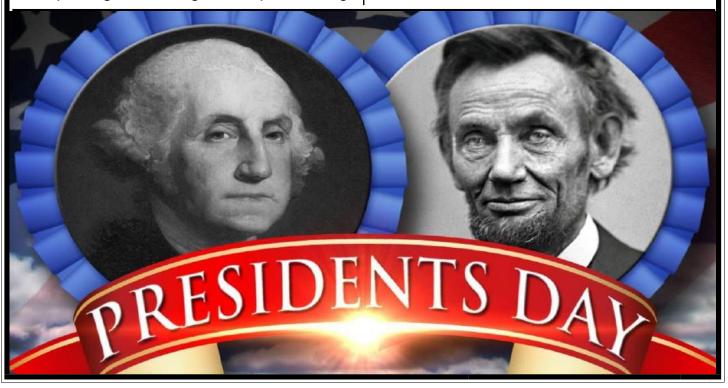
islation is proof that even in the most difficult legislative environments, ATA is still moving bills into law."

"We are grateful for our congressional champions on this bill — Reps. Waltz and Pascrell and Sens. Daines and Peters — who kept their foot on the gas until the personal data of military families and other

Americans was protected," Spear continued. "With 2024 well underway, we will not stop advocating for commonsense legislative solutions that will strengthen our supply chain."
"I want to thank Sens. Daines and Peters, Reps.

Waltz and Pascrell, and the others in Congress who have worked for many years to get this legislation passed," said Bill Lovejoy, chairman of ATA's Moving & Storage Conference and president of Republic Moving & Storage. "This isn't just a win for the moving industry; it's also a win for the American service members and others who shouldn't be at greater risk of identity theft simply because they moved back to the United States."

Source: Transport Topics





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New Rule Will Reclassify Independent Contractors as Employees

ATA to Fight March 11 Implementation

A new U.S. <u>Department of Labor</u> rule announced Jan. 9 adopts a multistep

"economic factors" test for companies to follow to determine whether a worker should be classified as an independent contractor or an employee, adding a layer of regulatory oversight that transportation stakeholders

fear will upend the business model for independent truck drivers.

"The trucking industry has used independent contractors since the inception of interstate trucking, and court decisions over the last 90 years have continually reaffirmed

the legitimate role ICs play in the economy," American Trucking Associations Presi-

dent Chris
Spear said in a
statement. "It's unfortunate that the
administration has
chosen to replace a
clear and straightforward standard
with a tangled mess
that weakens our
supply chain and
undermines the

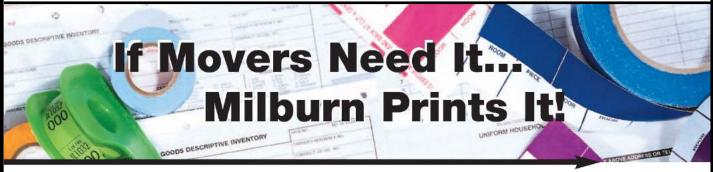
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livelihoods of hundreds of thousands of truckers across the country."

The rule, set to take effect March 11, directs employers to consider six criteria for determining whether a worker is an employee or a contractor, without predetermining

(INDEPENDENT CONTRACTORS continued on page 10)



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(INDEPENDENT CONTRACTORS continued from page 8)

whether one outweighs the other. The new regulation was <u>formally published in the Federal Register</u> on Jan.10.

In adopting the new rule, the Labor Department said it is rescinding a 2021 rule and modifying Wage and Hour Division regulations that it maintains are "more consistent with judicial precedent" under the Fair Labor Standards Act.

"After careful consideration, the department decided it was appropriate to move forward with a proposed rescission of the 2021 independent contractor rule and a replacement regulation," the announcement said. "As explained in the [Notice of Proposed Rulemaking], the department believed that retaining the 2021 IC Rule would have a confusing and disruptive effect on workers and businesses alike due to its departure from case law describing and applying the multifactor economic reality test as a totality-of-the-circumstances test."

The department said the final rule provides guidance on how six economic reality

factors should be considered. They include opportunity for profit or loss depending on managerial skill, investments by the worker and the potential employer, the degree of permanence of the work relationship, the nature and degree of control, the extent to which the work performed is an integral part of the potential employer's business, and skill and initiative.

"Just as under the 2021 IC Rule, and in accordance with long-standing precedent and guidance, additional factors may also be considered if they are relevant to the overall question of economic dependence," the final rule said.

Opposition from the business community is expected. One of the groups threatening a lawsuit is the <u>U.S. Chamber of Commerce</u>.

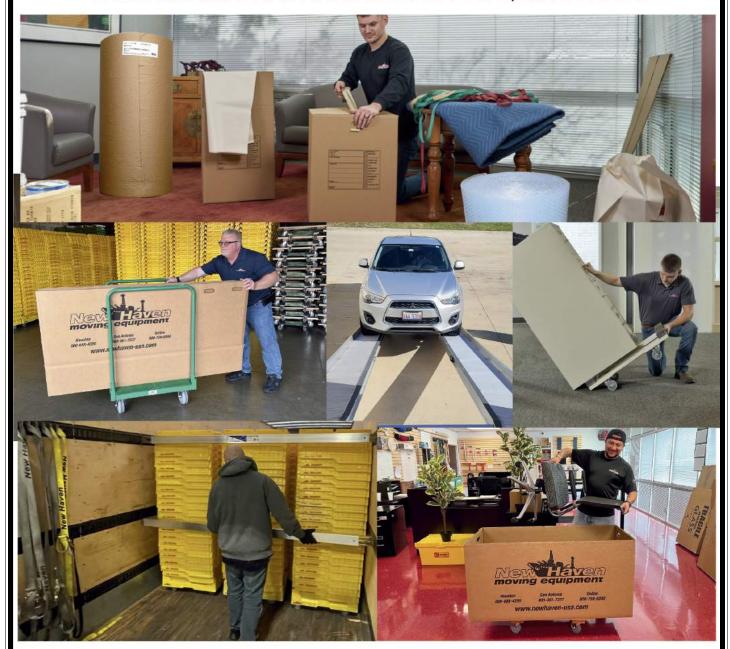
"We anticipate business groups will file suit(s) challenging DOL's authority to issue this regulation," said a Jan. 9 statement by the Indianapolis-based transportation law firm of Scopelitis, Garvin, Light, <a href="Hanson and Feary.

(INDEPENDENT CONTRACTORS continued on page 13)





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Chipman Relocation & Logistics Announces Appointment of John Chipman Jr. to UniGroup Board of Directors



San Ramon, California. October 31st, 2023 — Chipman Relocation & Logistics is proud to announce the appointment of John Chipman Jr. to the UniGroup, C.A. Board of Directors. With this appointment, John brings a wealth of experience and expertise that will undoubtedly contribute to UniGroup's continued growth and success.

John Chipman Jr. has a distinguished career spanning over 21 years. During this time John has achieved significant accomplishments in the moving and storage industry. John serves as the Executive Vice President at Chipman Relocation & Logistics, he is a past Chairman of the California Moving and Storage Association.

In addition, John Chipman Jr. is very involved with the American Trucking Association, specifically acting as the Chairman of the Moving and Storage Conferences' governmental affairs committee as well as serving on the Truck PAC board of directors.

As a seasoned moving and storage professional, John Chipman Jr. has a proven track record of leadership, demonstrating the ability to make informed decisions, foster collaboration as well as driving innovation and results. "We are thrilled to have John join the Uni-Group board of directors. His industry expertise and leadership acumen will be invaluable to UniGroup. The addition of John to the UniGroup board of directors marks an important milestone in our company's journey." said Justin Chipman, CEO at Chipman Relocation & Logistics.

John Chipman Jr. expressed his enthusiasm about joining the UniGroup board. "I am honored to accept this position and to have the opportunity to work alongside UniGroup's dedicated leadership team. I look forward to contributing my insights and experience to help guide UniGroup's strategic direction and to foster innovation for its members and customers."



(INDEPENDENT CONTRACTORS continued from page 10)

Scopelitis said a few "troubling aspects" of the earlier proposed rule remained largely unchanged, including:

- On the control factor, a contractual right to control or supervise will be considered indicative of employee status, even if in practice that right is never exercised by the putative employer.
- On the degree of permanence of the work relationship factor, exclusivity of a working relationship is considered indicative of employee status under this factor as well as under the control factor.

"As compared to the initial proposed rule, there were some incrementally positive changes in response to comments filed by commenters, including comments filed by Scopelitis, though not enough to make the final rule favorable on balance," the law firm said.

But the Labor Department said that instead of using the "core factors" set forth in the 2021 contractor rule, the final rule returns to a totality-of-the-circumstances analysis of the economic reality test in which the factors do not have a predetermined weight and are considered in view of the economic reality of the whole activity.

The agency said the final rule also pro-

vides broader discussion of how scheduling, remote supervision, price setting and the ability to work for others should be considered under the control factor, and it allows for consideration of reserved rights while removing the provision in the 2021 IC Rule that minimized the relevance of retained rights.

"Further, the final rule discusses exclusivity in the context of the permanency factor, and initiative in the context of the skill factor," DOL said.

The initial deadline for interested parties to submit comments on the NPRM was Nov. 28, 2022. The department received approximately 55,400 comments on the NPRM.

"As a general matter, most employees, labor unions, worker advocacy groups and other affiliated stakeholders generally expressed support for the NPRM," the agency said.

"By contrast, most commenters who identified as independent contractors, business entities and commenters affiliated with those constituencies generally expressed opposition to the NPRM, criticizing the department's proposed economic reality test as ambiguous and biased against independent contracting."

Source: Transport Topics

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Things to do on the Big Island during your stay!

The Big Island (officially named Hawaii) is the largest island in the United States' Hawaiian archipelago in the Central Pacific. Its diverse terrain spans colored-sand beach-



es at Papakolea (green) and Punalu'u (black) to lush rainforests. Within Volcanoes National Park, there are 2 active volcanoes, Kilauea and Mauna Loa. Hapuna Beach and Kahalu'u Beach Park in the west are popular snorkeling sites. Whether you're drawn to volcanic wonders, lush gardens, or authentic Hawaiian cuisine, there's something for everyone. Here are some must-do activities on the Big Island:

Hawai'i Volcanoes National Park:

Explore the natural wonders, hike

through volcanic landscapes, and witness

the awe-inspiring Kilauea, an active volcano that has erupted since 1983. Don't miss the chance to check in at the Kilauea Visitor Center for up-to-date information



on trails and safety precautions. Mauna Loa, another impressive volcano, is also visible from the park.

Snorkel with Manta Rays:

Experience the magic of swimming alongside these gentle giants during a night snorkel or dive. The Big Island's waters are home to



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(BIG ISLAND continued on page 15)

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(BIG ISLAND continued from page 14)

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<u>Hawaii Tropical Bioreserve &</u> Garden:

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Kona Coffee Farm Tour:

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the cultivation process, and savor freshly brewed coffee.

<u> Authentic Hawaiian Food:</u>

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CMSA Enrolled Movers: 90

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2	Ace Relocation Systems-	205,582	379	5,391	1,626,614
	Los Angeles	lbs.	lbs.	lbs.	lbs.
3	Ace Relocation Systems -	152,893	316	4,493	1,355,512
	San Diego	lbs.	meals	meals	meals

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CALENDAR OF EVENTS

Tues., Feb. 6 Ventura/Santa Barbara Thurs., Feb. 29 Northern Region Chapter

Chapter February Meeting
February Meeting

Wed., Feb. 7 Greater LA Chapter Fri., Mar. 1 Sacramento/San Joaquin

February Meeting Bowling Tournament

Tues., Feb 13 North Bay Chapter
February Meeting

Tues., Mar. 19 Legislative Day

Wed., Feb. 21 Twin Counties Chapter 106th Appual CMSA Conv

Hockey Night Event

106th Annual CMSA Convention
Hilton Waikoloa Village
April 30-May 5, 2024

Thurs., Feb 22 Monterey Bay Chapter
February Meeting

April 30-May 5, 2024

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HISTORICAL PHOTO



83rd Annual CMSA Convention - Outrigger Wailea Resort, Maui, Hawaii - May 2001 - Attendees L-R: Ken Robertson, Leslie Robertson, Steve DeBolt, Kathy DeBolt, Jay Casey, Mariann Prassel and Nat Prassel



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Friday, MAY 3 BIG ISLAND BREAKFAST

CMSA GENERAL SESSION

LEHUA BLOSSOM LUNCHEON

MILITARY BREAKOUT SESSION

FRIDAY EVENT TBD

Saturday, MAY 4 WAIKOLOA SUNRISE BREAKFAST

CMSA GENERAL SESSION

VAN LINE PANEL DISCUSSION

KOHALA COAST AWARDS LUNCHEON

CHAIRMAN'S RECEPTION & DINNER/BALL

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Women-dresses, skirts, slacks, mid-length golf shorts.

Unacceptable Attire: Men-tee shirts, tank tops, denim, cut-offs or swimsuits.

Women-halter top, tee shirts, tank tops, denim, cut-offs, or swimsuits.

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Golfer 3:	Company:			
	Company:			
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Exp. Date: Three	e-Digit Code:			
Billing Address & ZIP Code:				
Phone:	Email Address:			
GOLF CLUB RENTAL FEES ARE PAIR	D DIRECTLY TO THE PRO SHOP—NOT CMSA.			
If you would like to reserve a set of golf clubs, please provide a count below so that the pro shop will be sure to have enough on hand and ready for you to pick up. Golf club rentals are available at the pro shop at a rate of \$55 (price subject to change) per set.				
Enter # of Rental Sets: Men's RH	Men's LH Women's RH Women's LH			
Please mail this form, with payment to: CM	ISA, 10900 E. 183rd St., Suite 300, Cerritos, CA 90703			

Exhibitor Registration Form

106th CMSA Annual Convention EXHIBIT DATES: May 2-4, 2024

IMPORTANT!: International Convention Services (ICS) will be the official exhibit services contractor, and will be in contact with you after you register. ICS can assist you with shipping materials and handling special requests.

STEP 1: RESPONSIBLE PARTY INFORMATION

1				
Full Name of Attendee Responsible for Booth				
First Name to Appear on Badge				
Company Name to Appear on Exhibitor ID Sign				
Telephone Fax				
E-Mail Address (Registration Confirmation will be s	sent via E-mail)			
Special Food Requests:				
CMSA reserves the right to reject registration from propriate by the CMSA President and/or the CMSA	exhibitors deemed inap A Board of Directors.			
STEP 2: ADDITIONAL ATTE	ENDEES			
2.				
Full Name				
First Name to Appear on Badge				
E-Mail Address				
Special Food Requests:				
3.				
Full Name				
First Name to Appear on Badge				
E-Mail Address				
Special Food Requests:				
USE ADDITIONAL SHEET TO LIST MORE	E ATTENDEES.			
STEP 3: ASSESS EXHIBITO	R FEES			
Booth registration <u>includes</u> one (1) conventions 8x10 pipe & drape display booth, a six-foot chairs, wastebasket and exhibitor ID sign.	ion registration, an skirted table, two			
Booth Registration Before March 31, 2024 @ \$1,700 After March 31, 2024 @ \$2,100	\$			
Booth Electricity—\$150 per booth	\$			
Additional Attendee(s):	Ф			
Members \$675 ea./Non-Members \$852 ea.	\$			
Grand Total:	\$			
\$10 from each exhibitor's booth fee will be	included in the			

Booth Bingo Raffle!

STEP 4: CHOOSE YOUR BOOTH

Priority will be given according to seniority # of booths re

served, and date form was rece	
RESERVE BOOTH # (s)	FOR MY EXHIBIT.
In case your first choice is take	en, please list alternate booth #s.
2nd Choice (s)3:	rd Choice (s):
Companies you don't want to b	be next to:
Saturday Booth Raffle Drawin	g? Yes No
STEP 5: SELECT MI	ETHOD OF PAYMENT
☐ Check Enclosed ☐	Charge to Credit Card
CREDIT CARD INFORMATI	ION:
□ VISA □ MasterCard	☐ American Express
Name on Credit Card	
Credit Card Number	Exp. Date
Billing Address	Billing Zip Code
3-Digit Code on Back of Card	
Authorized Signature	Date
CEED (DECDONOR	THE TOTAL A CONTROL OF THE TOTAL OF THE TOTA

STEP 6: RESPONSIBILITY AGREEMENT

By registering to be an Exhibitor at the CMSA Convention, you are agreeing to the terms below:

Exhibitor shall be fully responsible to pay for any and all damages to property owned by Hilton Waikoloa Village, its owners or managers which results from any act of omission of Exhibitor. Exhibitor agrees to defend, indemnify and hold harmless the California Moving & Storage Association, Hilton Waikoloa Village, its owners, managers, officers or directors, agents, employees, subsidiaries and affiliates from any damages or charges resulting from or arising from or out of the Exhibitor's use of the property. Exhibitor's liability shall include all losses, costs, damages or expenses arising from or out of or by reason of any accident or bodily injury or other occurrences to any person or persons, including the Exhibitor, its agents, employees, and business invitees which arise from or out of Exhibitor's occupancy and/or use of the exhibition premises, Hilton Waikoloa Village or any part thereof. The Exhibitor understands that the Hilton Waikoloa Village does not maintain insurance covering the Exhibitor's property and that it is the sole responsibility of the Exhibitor to obtain such insurance.

Exhibit Dates: May 2-4, 2024

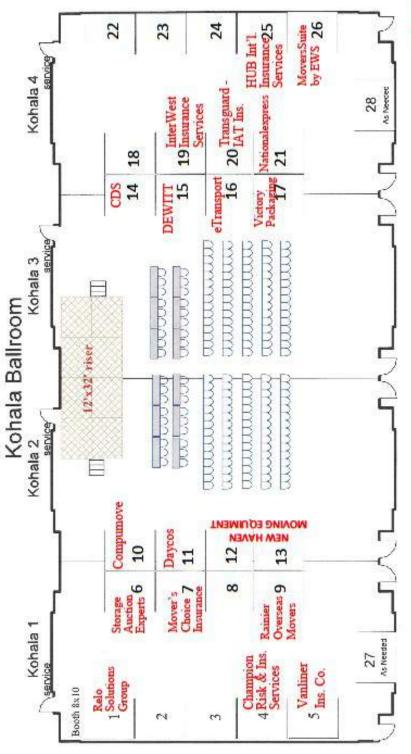
Set-up available at 3 p.m. on Wednesday, May 1, 2024.

Refunds for any cancellations done before March 31, 2024 will be subject to administrative fees plus any incurred costs (not to exceed 50% of total fees paid). No refunds will be made after March 31, 2024.

106th Annual Convention – Booth Diagram Hilton Waikoloa Village

Waikoloa, HI

Exhibit Dates: May 2-4, 2024



As of 2/3/24

2024 CONVENTION PROGRAM ADVERTISING

The convention program will be 8 1/2" X 11" in size and printed in full-color! Call Gale Iwashita (562) 865-2900 or email: giwashita@thecmsa.org to reserve your advertising spot in the convention program!

Send all artwork as a JPG file. Any PDF files will be converted to a JPG.					
Page	<u>Dimensions</u> (Width X Height)	Rate	Event Partner Rate		
1/4 Page	3.75"(W) X 5"(H)	\$210.00	\$170.00		
1/2 Page	7.5"(W) X 5"(H)	\$285.00	\$230.00		
Full Page	7.5"(W) X 10"(H)	\$435.00	\$350.00		
Full Page (Inside Cover)	7.5"(W) X 10"(H)	\$560.00	\$450.00		
Full Page (Back Cover)	7.5"(W) X 10"(H)	\$660.00	\$530.00		
Registration Packet Insert Flyers*	8.5"(W) X 11"(H)	\$510.00	\$410.00		

^{*}Inserts should be no larger than 8.5" X 11" in size and shipped to CMSA at advertiser's expense.

DEADLINE FOR ARTWORK: February 23, 2024

CMSA SHOUT OUTS!

Space in the program is not limited to just advertising! If you'd like to do a "CMSA Shout Out" to your fellow CMSA members, we encourage you to do so! See examples below! Shout Out pricing is the same as advertising pricing.





To place your ad or shout out, contact: Gale Iwashita (562) 865-2900 or email: giwashita@thecmsa.org