



The California

Contractor

News for the Western Regional Master Builders Association

January-February 2021

Volume 46 No. 1

Tired of being tired? Lifestyle changes can help

By Ian Mackie

According to the dictionary, fatigue can be defined as “weariness or exhaustion from labor, exertion, or stress.” There is good fatigue and there is bad fatigue. Understand the difference and begin making lifestyle changes today.

You wake up feeling tired. Your workday is filled with cups of coffee and no time to take a break. After work you go to your kid’s ball game. It’s been awhile since lunch but you’re not eating dinner until you get home, so you hastily consume a candy bar.

At home you eat a huge dinner and can only think of going to sleep even though you’d planned on going for a walk.

Sound familiar?

There are various physical and mental reasons that people can experience fatigue. Many medical conditions and medications can have side effects of fatigue. But in today’s culture feeling chronic tiredness is becoming more commonplace. We have families that need us and jobs that often have us working more than 40-hours per week. The house needs to be cleaned and errands need to be run. Feeling tired gets to be just another fact in a busy life.



Symptoms of fatigue

The symptoms of what we would consider garden-variety fatigue could also be symptoms of disorders that might require medical attention. Talk with your doctor if you experience these symptoms—don’t brush them off just because you think you might be “a little tired.”

Common symptoms of fatigue include: Lethargy, Drowsiness, Weakness, and Listlessness.

What causes fatigue and what can you do about it?

If you’ve checked with your doctor and are not suffering from a physical or mental cause for fatigue, it’s time to start

At A Glance

Nail guns:
Target safety

Law Talk: Don’t delay
liens in the age of
COVID-19

Avoid mistakes in
harassment training

New laws for the
new year

... and more

Pneumatic nailers: Use them safely

Pneumatic nailers are a staple of the construction industry. These nail guns, powered by compressed air, cause many injuries to the hands and feet. More serious injuries to the eyes, neck, heart and brain have also occurred.

Also known as nailers, pneumatic hammers and air-powered hammers, these tools are rightly called guns because they apply a large amount of energy to a small projectile. As such, they should be treated and handled with the same kind of care as a weapon.

Here is an example of how things can go wrong when nail guns are used incorrectly:

A worker known to be fast at his job was walking along a timber framework

placing a series of nails. He used one hand to hold the job and walked with the trigger depressed, using the pressure on the muzzle guard to activate the tool. He nailed his hand to the wood.

Use these safety tips to prevent injuries:

- Read the user's manual to learn how to operate and maintain the tool safely.
- Get training at work.
- Examine the tool before use, making sure it is in good condition. Is the nose guard in working order? Also check the air pressure before hooking it up.
- Do not carry the tool by the hose.
- Do not carry the tool with a finger on the trigger.
- Do not press the trigger unless you are intending to fire.

- Do not point the tool at anyone. Even if the tool is disconnected from the air supply or supposedly empty, it could still fire under certain circumstances. It is also possible for a nail gun to go off without you touching the trigger.

- Make sure the tool is pointed away from your body and keep your hands out of the way.
- Nails hitting the work at the wrong angle and bouncing off can injure hands.
- Put the muzzle of the tool firmly against the work piece when firing.
- Disconnect the tool from the air supply before clearing blockages, making adjustments, handing the tool to another worker or leaving it unattended.
- Always wear safety glasses when using an air nailer. Hearing protection, head protection and safety-toed

Fatigue: Exercise makes you less weary, not more

Continued from page 1

looking at how you're living your day-to-day life.

Are you eating properly? Drinking enough water?

Poor nutrition is high on the list of fatigue factors. Insufficient vitamin and mineral intake along with poor protein balance can trigger tiredness. A diet too high in fat and carbohydrates can also contribute to a general sense of lethargy. If your fluid intake is poor, this can cause headaches and effect organ functions. Eating and drinking poorly often ties in with other fatigue factors such as not having enough time and too much stress.

Are you getting regular exercise?

Many people believe that exercise will make them more tired, which isn't true.

Exercise can increase overall levels of energy. One reason for the increase is that aerobic exercise makes your heart stronger and more efficient. A fit cardiovascular system delivers about 25 percent more oxygen per minute at rest and up to 50 percent more oxygen during physical exertion than an unfit one does. Building stronger muscles allows you to move through your day more easily. Exercise can also improve the quality of your sleep, so you feel more rested even after spending the same amount of time in bed.

Can you reduce your level of stress?

There is a lot of talk these days about ways to reduce stress. Two things that are on the top of the stress reduction list are better organization and doing less. And, of course, exercise.

The thought of getting organized can actually cause stress for a lot of people.

What can you do to break a cycle of disorganization? Start by learning what would work for you. You do things in your own way; it stands to reason that there is an approach to organization that would work better for you than others. Take the time to learn about different ways to organize. Up until now you may have thought that you'd never be able to get organized – it's probably more likely that you just haven't found a system that works for you.

Becoming better organized can lead to living simpler and better time management; these in turn can lead to less stress and less stress can help increase your level of energy.

So now it's back to exercise again—outside of the physical benefits of exercise, there are also mental and

emotional reasons to work out. Hard strenuous physical activity can clear the mind of clutter. People often problem-solve while exercising because their focus becomes clearer. Activity can also be an emotional outlet. Emotions that can build up and hinder you from functioning at your best can be diffused with exercise.

There are no magic bullets here. If there were, we'd all be abounding with energy. You're not going to create an abundance of energy over night. Start small. Eat a vegetable with dinner. Take a walk during the day. Imagine your store of energy is like a bank account – the better you handle your account, the more energy you'll have. If you overdraw it, you'll be working with a deficit. Work on keeping your account balanced and "tired of being tired" will become a saying of the past.



LAW TALK

By Milene C. Apanian
of Abdulaziz, Grossbart & Rudman



Don't delay your mechanic's liens during the COVID-19 pandemic

Since earlier Alerts, clients have been asking about the current status of recording mechanic's liens during the Covid-19 pandemic. As it stands, the various County Recorder's offices are still closed to the public, including attorney services and attorneys.

The County Recorder's offices are currently open and functioning. New mechanic's liens, mechanic's lien releases and other documents can be recorded. Here are a few things to keep in mind if you are considering recording a mechanic's lien on a project to help collect for work performed:

Venue For Recording Mechanic's Liens:

Mechanic's liens must be recorded in the county where the property is located. Where you are recording your mechanic's lien will determine the processing time for your mechanic's liens. Each county has issued its own Covid-19 order and currently has different operating hours, staffing issues and concerns, and therefore each county recorder's office has a different turn-around time. Over the past few weeks, our office has recorded mechanic's liens in different counties, including Los Angeles, Orange, Merced, Fresno, Solano Counties. Each county has had a different response time. Some took two weeks; others took four or six weeks to return the recorded document. Documents sent to the same county on the same day have had different return times. The processing times change depending on the county workload, staffing and backlog, and is changing constantly.

Recordings are Done Through the Mail:

Prior to the Pandemic, mechanic's liens could be recorded in person at the county recorder's office with a same day confirmation. Additionally, attorney services were able to hand carry the mechanic's liens to the county recorder's office and return the recorded document fairly quickly. As of this update, most county recorder's office (if not all) are still closed to the public and therefore the expedited - or in person recording - options are unavailable. Mechanic's liens must now be mailed to the county recorder's office. This adds additional time to send the document to be recorded, and to receive the recorded document back from the recorder's office. Some documents mailed to our office have taken seven days to be delivered.

Furthermore, it is our understanding that mechanic's liens are recorded with the date that the recorder's office processes and actually records the document. They are not backdated to the date the document was received at the recorder's office. This means that the date the mechanic's lien is recorder is out of our control and depends on when the recorder's office processes the document. Depending on the county recorder's office's backlog, a mechanic's lien can sit at the county for a day, a week, or a number of weeks. It is currently impossible to confirm the recordation of the mechanic's lien on an expedited basis. The recordation is confirmed once the recorded documents is received back from the recorder.

Deadlines for Recording Mechanic's Liens:

Calculating the deadline to record a mechanic's lien is a fact-based analysis based on the project timeline and the different mechanic's lien statutes. Since each project has its own unique facts and situation, this update does not provide a detailed analysis of the various deadlines. However, remember two key points:

(a) The deadline to record a mechanic's lien is calculated based on the project completion date. (Completion is a statutory term with specific legal meaning.) Whether a project is "completed" requires a legal analysis of the project specific facts and is beyond this update. Keep in mind that depending on the facts and circumstances, the deadline to record a mechanic's lien is 90 days from the project completion date. However, if a "notice of completion" or a "notice of cessation" is recorded for the project, general contractors have 60 days, and subcontractors have 30 days from the recordation of the notice of completion/cessation.

(b) As of this update, we are unaware of any emergency order, law, or statute that tolls (or puts on hold) the deadlines (statute of limitations) for recording mechanic's liens during the pandemic. This means that all mechanic's liens must be recorded based on existing California statutes, even if the county recorders' offices are backlogged.

Avoid mistakes in harassment training

By Dr. Joni Johnston

Sexual harassment prevention training can either buffer your company from liability or, if done incorrectly, make the business environment - and the odds of litigation - significantly worse. This article takes a look at some of the common mistakes in sexual harassment prevention training - and how to avoid them.

Headache #1: An employer shipped out copies of an expensive video program to dozens of distant managers without providing HR staff to either answer questions or ensure that employees were actually following and learning from the programs. Many of the managers turned on the videos in break rooms and left them running while employees came and went.

Headache #2: During face-to-face anti-harassment training given by a lower-level supervisor, he let it be known that he had no use for the training and was just going through the motions.

Regardless of whether or not you comply with any mandated sexual harassment training laws, jurors are

increasingly unwilling to accept a “check the box” approach to harassment prevention training; they want to see training that is interactive, memorable, supported by senior management, and delivered by a credible, well-trained presenter. Given that an ineffective training program will provide little or no protection in the event of a lawsuit, let’s take a look at the essential components of an effective training program and identify some of the most common pitfalls.

Effort May Count—But Not Much

Harassment prevention is not an easy subject to teach. One reason many training programs are of such poor quality is that a real mastery of the subject requires a high level of legal understanding coupled with the practical concepts understood by those who have a firm grasp of the day-to-day realities of the workplace. Many training programs fail to integrate the two disciplines and thus fall short in one respect or the other.

Another major reason is that, up until

now, most employers have viewed anti-harassment training as something you show up and provide information about, then let them “learn” by doing. Employers, however, cannot afford to let supervisors “wing it” when it comes to learning how to recognize, refrain from, or properly handle sexual harassment. Supervisors and managers not only have to master complicated concepts in advance, but must also practice proper techniques for effective prevention and complaint handling. That requires time, attention, and education, not just training.

Who Should Train

As the quality of compliance training has increasingly become grist for the plaintiff attorney’s mill, the selection of an outstanding training provider a critical business issue. The advantages of in-house HR or training personnel include cost and the fact that such staff is knowledgeable about the particular

Please see TRAINING, page 6

Law Talk: Do not procrastinate! Act now

Continued from page 3

Project Cessation:

As a result of the Covid-19 pandemic, some construction projects have been suspended, either because of governmental orders preventing construction, or because the project owner/developer has decided to temporarily suspend construction activities. Regardless of the reason for the suspension, if a project is on hold or suspended for more than 60 days, that project is deemed “completed” under California statutes. Therefore, the deadline to

record a mechanic’s lien is triggered, even if the project is resumed.

Conclusion

The point of this update is, do not delay recording your mechanic’s lien. It is now taking longer to deliver the mechanic’s lien to the county recorder’s office; for the county recorder’s office to record the mechanic’s lien; and to receive the recorded mechanic’s lien back from the county recorder’s office. In some cases, it has taken four weeks to send, record and receive back a mechanic’s lien. If you are owed

money on a project and are debating whether to record a mechanic’s lien, or delay the recordation in the hopes of receiving payment, be reminded that by the time you decide to act and record your mechanic’s lien, you may be out of time. Do not procrastinate, act sooner than you would have before Covid-19. Stay safe!

If you need assistance with recording a mechanic’s lien or getting paid on projects, email me at mca@agrlaw.com to discuss further.

Milene Apanian is a partner at the law firm of Abdulaziz, Grossbart & Rudman, an adjunct professor of construction law and contracts and is passionate about getting clients paid! She assists clients collect on construction projects by drafting & reviewing contracts and by pursuing contract remedies, and enforcing mechanic’s liens, stop payment notices, bond claims and prompt payment violations. Milene Apanian can be reached at mca@agrlaw.com

New contracting laws for the new year

Information on 2021 laws courtesy of the Contractors State License Board

As we make our way into the new year, CSLB would like to highlight some construction-related laws that will go into effect January 1. Pay close attention to these changes, including an extension for seniors' right to cancel a contract (AB 2471) and the direct authority for the registrar to take disciplinary action for tree worker safety violations (AB 2210). These updates, and the others mentioned below, may impact the way licensees conduct business.

AB 2471 (Maienschein): Extends the right to cancel contracts for persons 65 years of age or older from three business days to five business days for the following transactions: home solicitation contracts, home improvement contracts, Property Assessed Clean Energy assessment contracts, service and repair contracts, and seminar sales contracts. (Chapter 158, Statutes of 2020)

AB 1551 (Arambula): Relates to Property Assessed Clean Energy (PACE) financing home improvements through PACE assessment contracts, as regulated by the California Financing Law and the Streets and Highways Code. AB 1551 prohibits "prepayment penalties" in PACE assessment contracts and prohibits PACE assessments on properties with reverse mortgages. This bill also requires the PACE Financing Estimate and Disclosure be provided to the homeowner in printed, paper form, unless the property owner signs a printed paper document opting out of a hard copy; if they opt-out, they may receive the disclosure electronically. (Chapter 156, Statutes of 2020)

AB 2210 (Aguilar-Curry): Authorizes disciplinary action against a licensed contractor for violations of tree worker safety regulations administered by the California Division of Occupational



Safety and Health without regard to whether death or serious injury to an employee resulted from the violation. This bill also extends the time for the CSLB registrar to bring disciplinary action against a licensed contractor for violations of the Labor Code or the specified tree safety regulations from 180 days to 18 months. (Chapter 128, Statutes of 2020)

AB 3087 (Brough): Authorizes the CSLB registrar to contract with a public or private organization to administer, and provide services and materials for, CSLB's contractor license exams. (Chapter 295, Statutes of 2020)

SB 865 (Hill): Makes several changes to the Dig Safe Act of 2016, including renaming the California Underground Facilities Safe Excavation Board to "Dig Safe Board"; updating requirements about the exchange of information and records between the Dig Safe Board and regional notification centers (RNC); requiring that all new subsurface installations use specified mapping technology; and requiring that an excavator notify the RNC within 48 hours of discovering or causing damage. The bill also updates some of the enforcement responsibilities of the Dig Safe Board, including the option to require that violators take an educational course in lieu of paying a fine. (Chapter 307, Statutes of 2020)

SB 1189 (McGuire): Creates a new classification of contracting business called "residential remodeling contracting," which is defined as projects that make improvements to, on, or in an existing residential wood frame structure that use at least three unrelated building trades or crafts for a single contract; a list of trades is included in the bill. The bill also includes in the definition of "home improvement" the reconstruction, restoration, or rebuilding of residential property damaged or destroyed by a disaster for which either the governor or president has declared a state of emergency. The bill also expands the type of contracting activity in a declared disaster zone for which a person without a contractor license can be prosecuted. (Chapter 364, Statutes of 2020)

SB 1474 (Committee on Business, Professions and Economic Development): Requires the CSLB registrar to retroactively reinstate an expired contractor license if a completed license renewal application is received with the appropriate fees within 90 days of the license expiration date. It also makes several minor, technical, non-substantive changes to the law. (Chapter 312, Statutes of 2020)

For more on new laws and other information impacting California contractors, visit www.cslb.ca.gov.

Training: When mishandled, can create problems

Continued from page 4

workplace, the employees being trained, and the particular business or industry.

On the other hand, harassment prevention is a topic in which knowledge is necessary but not sufficient as some of the most challenging components for instructors is anticipating and responding to the challenging questions and negative attitudes of course attendees. Additionally, because of the natural resistance many employees and managers initially feel towards this subject matter, they are more likely to question the “agendas” of in-house trainers, no matter how neutral or objective they may strive to be.

Harassment prevention training specialists – whether internal or external – should be able to offer: legally accurate and up-to-date analysis as well as practical and realistic programming; lively, interactive presentations; appropriate educational techniques; and a variety of formats, follow-up and curriculum options. One thing is clear; educational research indicates that adult learners learn better with a live teacher—especially one they can respect.

Training Mistakes: When the Treatment is as Bad as the Disease

Mishandled training not only may fail to insulate an employer from harassment claims and punitive damages awards, but also can create its own legal problems. Accordingly, employers should seek to create training sessions that are “jury worthy” in tone and language by avoiding the following traps:

Asks the learner to make legal conclusions: Some harassment prevention training programs present scenarios and then ask the participant “Is this harassment?” The learning points that such a question is trying to cover can be communicated just as effectively without making a legal conclusion. In addition, questions that ask for legal conclusions are problematic in that they can be used as evidence against the company in the event of a future lawsuit if a manager or employee engages in behavior that was defined as “harassment” in a previous

training class. Essentially, the company’s hands may be tied because of evidence it created against itself.

Increases Liability by “Setting the Bar Too High”: For example, in workplace harassment training, a program may state that any discussion of personal relationships in the workplace is inappropriate. While this approach is well-intended, it can actually be damaging to the organization for the following reasons: 1) If the program “concludes” that such behavior is unacceptable, then it has made a legal conclusion that could be used against the organization in the event of a future lawsuit, and 2) An overly “sanitized” message may also spark an unwillingness on behalf of the learner to take the content in the program seriously.

Focuses only on sexual harassment: The US Supreme Court and the EEOC have made clear that a harassment prevention program should address all of the “protected categories.” To be effective, a workplace harassment prevention training program should address harassment related to gender, race, national origin, color, disability, age and religion as well as other “protected categories” under state law, such as sexual orientation.

Fails to Provide Appropriate Content for Appropriate Groups: One of the greatest challenges in creating an employment law training program is ensuring that the content communicates the correct information, while not encouraging employees to bring lawsuits. Employees primarily require information about the employers’ commitment to a harassment-free workplace, assurances against retaliation as well as instruction on the employers’ policies and procedures, and expected standards of conduct. Managers need education not only in recognizing harassment and discrimination and refraining from it, but also in proper handling of complaints or other situations possibly raising the issue, as well as such matters as preventing retaliation and effective follow-up with the complainant. A thorough discussion of legal liability is real-

ly only appropriate for managers, who need to know more detailed information about the law, and the specific risks that misconduct poses to both them and the company.

Focuses narrowly on legalese: Harassment/discrimination prevention programs are designed to educate employees and managers – not lawyers or HR experts. Therefore, when discussing “the law,” employers should focus on what employees most need to know: what is and isn’t harassment, how to report it and how to maintain a retaliation-free workplace. Manager training programs must give managers and supervisors the practical tools they need to implement a policy successfully, how to legally interview for hiring and promotion, and how to manage performance in a way that does not discriminate against anyone on the basis of protected characteristics.

Fails to Reflect Your Organization’s Specific Workplace Policies: A harassment/discrimination prevention program should routinely incorporate an organization’s specific workplace policies. In fact, if a training program includes a tracking mechanism that shows receipt and acknowledgment of that policy, then the program performs the dual function of training and policy dissemination. In addition, training should include policy-related issues such as reporting procedures, confidentiality issues, the conduct of investigations and retaliation prohibitions. While employer policies should emphasize zero tolerance with respect to discrimination and harassment, they also must encourage employees to report inappropriate behavior with many options in which to report a complaint, including the option of reporting a complaint to a person not in the employee’s chain of command, to ensure confidential and prompt investigations and to protect victims and witnesses from retaliation.

Dr. Joni Johnston is CEO of WorkRelationships (<http://www.workrelationships.com>), an employee relations consulting company based in San Diego, CA.

SAFETY ... IT PAYS



Use caution when operating generators

With electric power interruptions becoming a way of life and winter storms looming, many Californians have recently invested in a portable generator. The American Red Cross has provided information on safely using a generator at your home or business.

The primary hazards to avoid when using a generator are carbon monoxide (CO) poisoning from the toxic engine exhaust, electric shock or electrocution, and fire. Follow the directions supplied with the generator.

To avoid electrocution, keep the generator dry and do not use in rain or wet conditions. Operate it on a dry surface under an open canopy-like structure, such as under a tarp held up on poles. Do not touch the generator with wet hands.

Be sure to turn the generator off and let it cool down before refueling.



Gasoline spilled on hot engine parts could ignite.

Store fuel for the generator in an approved safety can. Use the type of fuel recommended in the instructions or on the label on the generator. Local laws may restrict the amount of fuel you may store, or the storage location. Ask your local fire department. Store the fuel outside of living areas in a locked shed or other protected area. To guard against accidental fire, do not store it near a fuel-burning appliance, such as a natural gas water heater in a garage.

Plug appliances directly into the generator, or use a heavy duty, outdoor-rated extension cord that is rated (in watts or amps) at least equal to the sum of the connected appliance loads.

Check that the entire cord is free of cuts or tears and that the plug has all three prongs, especially a grounding pin.

Never try to power the house wiring by plugging the generator into a wall outlet. Known as “backfeeding,” this practice puts utility workers, your neighbors and your household at risk of electrocution.

Remember, even a properly connected portable generator can become overloaded, resulting in overheating or generator failure. Be sure to read the instructions.

If necessary, stagger the operating times for various equipment to prevent overloads.

Prevent Carbon Monoxide (CO) Poisoning

Never use a generator, grill, camp stove or other gasoline, propane, natural gas or charcoal-burning devices inside a home, garage, basement, crawlspace or any partially enclosed area.

Keep these devices outdoors, away from doors, windows and vents that could allow carbon monoxide to come indoors.

Opening doors and windows or using fans will not prevent CO buildup in the home. Although CO can't be seen or smelled, it can rapidly lead to full incapacitation and death. Even if you cannot smell exhaust fumes, you may still be exposed to CO. **If you start to feel sick, dizzy, or weak while using a generator, get to fresh air RIGHT AWAY— DO NOT DELAY.**

Install CO alarms in central locations on every level of your home and outside sleeping areas to provide early warning of accumulating carbon monoxide.

Test the batteries frequently and replace when needed.

If the carbon monoxide alarm sounds, move quickly to a fresh air location outdoors or by an open window or door.

Call for help from the fresh air location and remain there until emergency personnel arrive to assist you.

OSHA CORNER

Please visit the following address on the web to download helpful safety posters, guides and pamphlets for a safer workplace.

<http://www.dir.ca.gov/dosh/PubOrder.asp>



Make your meetings memorable and productive

By Craig Harrison

As the facilitator, leader or organizer of the meeting you are ultimately responsible for everything that does and doesn't happen in your meeting. Do any of these things happen at your meetings?

- * People arrive late
- * people leave early
- * someone yells BINGO in mid-meeting
- * People are unprepared
- * A key person is absent
- * Someone asks for a pencil or pen
- * People mysteriously get important calls midway through and leave in droves...

Before you blame others, it's entirely possible the fault resides with you, the caller of the meeting. As the facilitator, leader or organizer of the meeting you are ultimately responsible for everything that does and doesn't happen in your meeting. What are you doing right? What are you doing wrong?

Allergic to Meet? Here are 7 things to do before you hold your next meeting:

1. Ask yourself if it's really needed. Can goals be achieved by e-mail, chat, memo or conference call instead of a meeting?
2. Identify who needs to be there and who doesn't. Respect everyone's time.
3. Set the time, location, duration, agenda items and purpose (!) for the meeting.
4. Publicize it in advance to insure full attendance.
5. Call out responsibilities for the meeting in advance so all can prepare accordingly.
6. Set the environment for optimal success. Room layout, supplies, temperature, etc. all contribute to success/failure of meetings.

7. Incentivize attendance through food, fun or other enticements.

About Your Published Agenda

1. Is the purpose of your meeting documented in your agenda?
2. Do you have names next to each item to denote responsibility?
3. Are time windows associated with each item?
4. Do you make clear what is to be discussed vs. what is to be decided?

Ready, Set, Meet Here are seven tips to follow at your meeting:

1. Start on time.
2. Don't start over when latecomers arrive, or take time to recap what they missed.
3. Set the proper tone through your opening remarks.
4. Remind people of the purpose, goals and expectations for the meeting at its outset.
5. When calling on others for their reports you may preface their remarks with your own to frame their contributions, orient listeners.
6. Keep a firm grip on the timing of your meeting. As necessary you can ask for a summary, refer items to committee, request a written report or simply table longwinded discussions as necessary.
7. End on time!

Make parliamentary procedure your friend

You don't have to be a Parliamentarian to invoke the following procedural phrases:

- * I (hereby) call this meeting to order .. To officially start the meeting
- * Let's table that .. Suspend discussion of the topic (or motion) at hand indefinitely.
- * Point of information .. Nice way of asking for clarification at any time.

* Point of clarification .. Ask at any time when you are confused.

- * I call for the question .. It's time to address the previous question
- * Let's refer it to committee .. A way of off-loading the current discussion
- * Hearing no objections .. A way of moving forward to a vote or the next item
- * Since we're in agreement .. Another way of garnering agreement to act
- * We're adjourned .. Game over!

Avoid these incorrect (though commonly heard) phrases

- * DON'T SAY: "I want to make a motion that..." - INSTEAD, Say - "I move that..." or simply "I move..."
- * DON'T SAY: "A 2/3 Majority" - INSTEAD, Say - "A Majority" or "2/3" (a 2/3 majority is not a majority. Since a majority is half plus one, 2/3 of THAT is less than half!)
- * DON'T SAY OR WRITE ON AGENDA: "Old Business" INSTEAD, SAY OR WRITE: "Unfinished Business"

Meet Tenderizers

Most meeting leaders equip themselves with a gavel, pointer, markers and white board or flip chart. Consider other tools of the trade such as a talking stick or fun kush-ball to toss around to the speaker who has the floor. Use name tents if everyone doesn't already know each other. It also informs people where you'd like them to sit. Consider the use of a fun ice-breaker to get everyone on the same frequency. (E-mail me for a free set of ten ice-breakers you can customize for your future meetings.)

Contact Craig Harrison's *Expressions Of Excellence!* at (510) 547-0664, via Excellence@craigspeaks.com or through www.ExpressionsOfExcellence.com.

"The CALIFORNIA CONTRACTOR" is a published bi-monthly newsletter of The Western Regional Master Builders Association. Annual subscription is available with membership in the Western Regional Master Builders Association. For membership information, call (562) 296-8854. POSTMASTER: Send address changes to "Western Regional Master Builders Association" at 10701 Los Alamitos Bl. Suite 200, Los Alamitos, CA 90720.