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At A Glance

Foster a positive working environment in 2022

By Karla Brandau

Alison Davis, CEO of employee communications consulting firm Davis & Co., said in an article in Workforce Management that business leaders have much work to do in creating a positive working environment. She has spoken with many business leaders and they see the need for doing a better job of communicating their policies, sharing job opportunities and listening to employee concerns.

Davis said, “An active, thorough approach to good employee relations is all the more important in today’s climate of workers who use Facebook and Twitter. Complaints voiced by an employee in one location can grow into a groundswell quickly.”

So let’s get serious about employee job satisfaction and work to eliminate walls that cause waves of unrest among employees and to open windows of information that permit employees to function at higher levels of performance.

The Leadership Team’s Responsibility

The major burden rests on the leadership team for creating a climate of respect for employee abilities, expertise, and experience. If the senior leadership team sets the tone for a culture of honor



and respect, then individual managers will treat their employees accordingly. There may be exceptions, but through proper modeling from executives, managers and supervisors will work at building professional relationships that open windows, permitting information to flow freely in the organization and motivate employees to greater productivity.

In a climate of honorable employee relations, employees use their free will and choose to engage in the company goals and objectives. Engagement is a personal choice that each employee makes on a daily basis.

When the climate and culture of the organization is controlling and directive,

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Coach employees to success on the job

Law Talk: Mechanic’s liens and lawsuits in the time of COVID

How to succeed as a leader in tough times

Fix low back pain

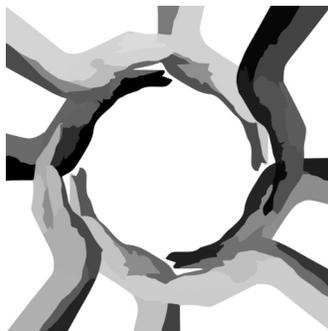
Be safe on dark, icy winter roads

... and more

Positive: Encourage honesty and integrity

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walls are erected and the choice to engage is made less frequently. Productivity suffers in the organization. Imagine the lackluster performance of a culture in which people only do enough work to keep from being fired, a frequent alternative to engagement in a hierarchal environment.



Remove Employee Blocks to Performance

You can become a charismatic leader that creates a positive employee environment (regardless of the behaviors of your leadership team) where workers choose to engage and give discretionary effort.

Here are some tips to help you become more influential and remove blocks to employees giving discretionary effort:

- Insist on honest exchanges

between all employees, regardless of rank or position on the org chart. In order to get constructive feedback, not skewed, distorted or beat-around-the-bush answers, employees must know it is safe to tell the truth, that they will not be laughed at for off-track ideas or ostracized for a dissenting opinion.

· Teach your employees that disagreements are good and differences of opinions give seeds of concepts the chance to be watered, weeded, and fertilized, then harvested at maturity.

· Emphasize personal accountability. Help employees take ownership of their assignments by having a clear agreement on the shape, look, and feel of their finished task. Set a deadline with built in check points. If the deadline is missed, do not let employees play the blame game but encourage them to acknowledge their contribution and outline what they will do to get back on track.

· Get to know your workers personally so you can encourage them to higher performance in individual ways.

These tips for an active approach to superior employee relationships are just a few from the research for the book titled *The 21st Century Social Contract*, which includes the Ross Brandau Engagement and Discretionary Effort Leadership Model.

Karla Brandau is CEO of the Workplace Power Institute, Contact her at info@WorkplacePowerInstitute.com.

Coach employees to success on the job

By Kerrie Halmi

Coaching your employees is crucial. Some managers mistakenly believe that coaching only applies to “problem” employees, but nothing could be further from the truth. You need to coach all of your employees, especially your stars. By comparing “traditional” management with a coaching model, you can see the benefits of coaching:

- Traditional management assumes the manager has all the answers, while coaching assumes employees have knowledge. - In traditional management the manager gives advice, while in coaching the manager listens closely, and then asks appropriate questions to help

employees find answers. - In traditional management it is difficult for employees to get anything done when the manager is physically gone. With coaching, employees have knowledge and can continue working when the manager is not physically there. - In traditional management, the manager is constantly fixing problems. In coaching, employees fix the problems and managers spend their time developing the employees. - With traditional management, managers say, “Here’s what you should do.” With coaching, managers say, “Tell me the options you have considered.”

The result? When you manage traditionally, employees feel like they leave their brains at the door

when coming to work. When you are coaching your employees, they are happier, more motivated and more productive.

One of the first steps you can take to start coaching your employees is to switch from a “tell” mentality to an “ask” mentality. When your employees come to you with an issue, resist the urge to quickly give them the answer. Instead, ask them questions about it. If you haven’t been doing this, it may seem quite unnatural at first. Let your employees know what you are doing and more importantly, why you are doing it. Once you start asking more versus telling, you learn which questions resonate with different people and it becomes more of a habit.

Of course, this is more easily said than done. Coaching requires some specific skills, like observation and assessment, questioning, listening and feedback. Initially, coaching takes more time than traditional management. However, when your coaching results in employees solving issues themselves versus you giving them the answers, you will find that they are more likely to come up with the solution on their own the next time. In the long run, you will save time and have a stronger team.

Kerrie Halmi of Halmi Performance Consulting specializes in increasing women’s success in business through speaking, coaching and facilitation.



LAW TALK

By Milene C. Apanian
of Abdulaziz, Grossbart & Rudman



Mechanic's liens, stop payment notices, and lawsuits

You did the work, but you remain unpaid. For weeks (if not months), you patiently waited and cooperated in the hopes of getting paid without “rocking the boat.” But the deadline to record your lien is fast approaching and you just heard “you will be paid shortly” one too many times. Frustrated, you contact your attorney and request that a mechanic’s lien be recorded TODAY!

The problem is that the pandemic has even impacted the logistics for recording mechanic’s liens. It is nearly impossible for you, your attorney and lien services to currently prepare and record a mechanic’s lien the same day (or even the next day). In fact, during the early months of the pandemic, it sometimes took 4 to 6 weeks and sometimes 8 weeks to record a document. While it is now taking less time, it is still difficult to expedite the process. Recording a mechanic’s lien requires planning and cannot be left to the last minute. This article explains why:

The Original Document is Necessary

Mechanic’s liens must be verified by the lien claimant, or the claimant’s counsel, prior to the document being recorded. This means that the claimant/counsel must, under penalty of perjury, state that they have read/reviewed the mechanic’s lien and know the content is truthful and that the claimant/counsel is authorized to sign the mechanic’s lien. In order to record the mechanic’s lien, the original document, with the wet signature on the lien and the verification

The pandemic has impacted the logistics for recording mechanic’s liens. While it is now taking less time, it is still difficult to expedite the process.

must be presented to the county recorder’s office for recordation. Therefore, you must figure out a way to get the original document to your attorney and the county recorder’s office.

The Recorder’s Offices Operate at Limited Hours and Require Appointments

Since the Pandemic started, some county recorder’s offices have reduced operating hours and are NOT open to the public. The Los Angeles County Recorder’s Office is an example. It was closed for over a year with NO in-person services available to the public, to attorney services or to attorneys. Even after recently opening, the LA County Recorder’s office has limited hours and strict in-person procedures. Norwalk (main branch), LAX/Courthouse, Van Nuys,

and Lancaster branches record documents BY APPOINTMENT ONLY. The appointments are available online only two weeks in advance and are typically booked and unavailable. While writing this article (and on multiple days) I attempted to reserve an appointment at the various locations, and all were booked for the next two weeks! Note: Mechanic’s liens can be mailed to the recorder’s office, but the turnaround time is unknown.

Mechanic’s Lien Can Be Rejected and Returned Without Being Recorded

It is not uncommon for the recorder’s office to reject and not record a mechanic’s lien for even minor technical reasons. Examples include portions of the notary stamp being faded, or some letters not being properly capitalized. It also appears that due to staffing challenges, temporary and new employees are processing the documents for recordation and sometimes unnecessarily rejecting mechanic’s liens. Once a document is rejected, it must be corrected and resubmitted!

The Recorder’s Offices Do NOT Backdate Documents

Once a mechanic’s lien is submitted to the recorder’s office (whether in-person, or electronically), the document is put in a queue and then processed. It

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Minimize leadership pressure through strategy

By Bill Burch

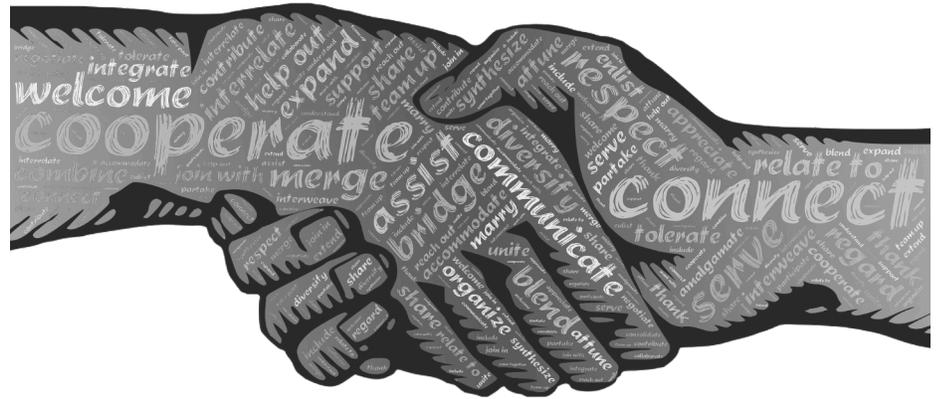
Employees are often the greatest challenge to the entrepreneur. In most cases, limiting employees limits your opportunity. Employees can prove the single largest distraction from the important work of entrepreneurship.

In all my years working as a supervisor, manager, business owner or consultant, the single most common thread that runs through all businesses with employees is that of employee management. Employees are in fact customers of yours and with each passing year they feel more like customers and demand more as customers.

Entrepreneurs often end up being crushed beneath the combined weight of regulation and employee expectations. All too often the entrepreneur doesn't survive. The original mission of creating and operating a profitable business comes second to meeting regulatory needs and making your customers happy. Ultimately you feel hostage. In extreme cases the experience can feel like a public rape leaving you asking why your romantic vision of providing goods or services and creating jobs and value could be turned into a villain's work.

No entrepreneur that has ground the grist eludes these emotions. But they don't have to overwhelm. You don't have to be the maître. There are tools and techniques to improve your bottom line and minimize your employment problems now. They take up front work and they take some follow through, but be assured the effort of being proactive will be 10% of what you will suffer without it.

The key to improved success lies in a strong position description or as Michael Gerber of E-Myth fame would call it a "position contract." Our companies use the position description as a proactive tool to keep people on track and to serve as an accountability tool that they must live up to. It feels good to have a meeting with a poor producing or bad behaving employee and with no emotion point out in detail



the reasons you are counseling them or even releasing them.

Many business owners think a job description is to be a paragraph with a rough outline followed by "other duties as assigned." In my companies our position descriptions are between 3 and 7 pages. They are very clear and go so far as to break duties down into categories ranging from those duties that are regular and repetitive without room for change and those that expect reasonable and adaptive thinking skills to take care of on the fly.

The position description is then merged with an audit or review tool that matches it.

We've introduced position descriptions to our companies, our client companies and even the boards that our employees serve on. They are always met with some level of scrutiny. They are called "oppressive," "micro-managing," "restrictive" as well as other words. These comments tend to come from those the description is written for. After implemented, the employer usually feels a great deal of relief and if audited and maintained the staff start to feel much more confident and their focus seems to turn to appropriate focus and execution of services and tasks.

Take some time to research position descriptions and look for examples that seem similar to what I've shared here. If

you want help creating position descriptions that meet your specific needs, you can contact my company at www.commercialresources.com or countless others to have them created specifically for you.

Ultimately it is important for the entrepreneur to reconnect with their original mission and to pull themselves from beneath the oppression of regulations and employee expectations and get control of their role as a customer of the employee. The employee is selling you their time, effort and ability in exchange for pay. The well done position description is your agreement outlining what you can expect as a customer. If you were signing a contract with my firm for the amount of the annual salary of any individual employee of yours, you would likely require a very clearly written and easy to understand agreement. Why not expect the same from those you hire?

Bill Burch is the president of Morgan E. Cline Companies as well as the founder and president of Commercial Resources, Inc., a professional business service provider and professional employer organization (PEO). CRI is a longstanding member of the National Association of Professional Employer Organizations (NAPEO).

10 tips to avoid or mitigate low back pain

By Bill Morrison

Working days lost in the US alone due to back pain runs into hundreds of millions.

The back is a highly complex mechanism and even with the use of modern technology, pinpointing the exact cause of low back problems can be challenging. At the center of our back is the spine, with a sophisticated interlinking of vertebrae and various bones. The spinal column itself is supported by a complex array of muscles and ligaments. Many back problems occur as a result of some change in the spinal column. These changes often happen after an injury to the neck or back. Any shift in our spinal column alignment causes the muscles tighten up and go into spasm, making the muscle work continuously (nature's protection mechanism).

Most people will have at least one backache during their lives, and many will live with recurrent or prolonged back problems. While discomfort can affect any area of the back, pain mostly occurs in the lower part, which supports most of the body's weight. Indeed, low back pain is among the most common reasons why Americans visit the doctor. Some people have backaches that cause significant disability, with pain or numbness radiating down the leg or into the foot—a condition known as sciatica.

Taking painkillers such as ibuprofen or aspirin often helps to reduce the inflammation and bring some sort of relief; however, for people who suffer from chronic back pain they seldom bring much relief. Whether you are a newcomer to back pain or a long term sufferer, here are ten tips to ease your back pain.

1 If you are in extreme pain try lying on your back, on the floor, with your feet and lower legs over a chair. Support your head under a pillow. Try to relax as much as possible.

2 Consider doing some simple stretches to improve your overall flexibility and help relax those over tight muscles. Your healthcare practitioner



should be able to advise you which ones are best for you.

3 Ensure you maintain the correct posture. Try standing with your back against a closed door. Align your shoulders against the door and touch the door with the back of your head, your buttocks and your heels at the same time. If you can manage this then your body is in the correct alignment. Try to hold this posture when walking. Posture is also important when sitting – it may be necessary to invest in a good office chair which provides good back and lumbar support. Latest thinking suggests that sitting with the back angled at about 120 degrees is the best position, almost in a slightly slouched position.

4 Start walking. Walking is one of the best exercises you can do to help relieve back pain. A recent study found that a group of low back pain patients who did 3 hours brisk walking per week had considerably less pain and distress than a group who were given specific low back exercises. Walking helps exercise many of the muscles in the musculoskeletal system, which in turn help provide support to the spine.

5 Always ensure you keep your back straight when lifting – no matter how light the object may be.

6 A good mattress is not only important to allow to have a good night's sleep, it is also important that the mattress provides good support for your

back.

7 Do a quick health check. If you smoke, quit. If you drink – do it in moderation. If you are overweight, lose it. Easy to say I know but the harsh facts are that people who carry too much weight are more prone to back problems, as are smokers and people who drink to excess. Try to eat a healthy balanced diet making sure you eat at least five fruit and veg a day.

8 If you drive pay attention to how you get in and out of the car. Sit down facing the door and swing both legs into the car together. Getting out is the reverse. It may look cumbersome but many a bad back is triggered by getting in or out of the car the wrong way. Ensure if you are driving any distance that you take regular breaks and have a walk around.

9 Buy a TENS or EMS machine to help relax those tensed up muscles and block out any nerve pain.

10 Always seek medical help from a health care practitioner. Do some research on the web before visiting your health care practitioner and make a list of questions to ask. If your back problem persists, seriously consider having a MRI scan. This is usually definitive in identifying the problem area and it is particularly useful in determining the source of sciatic nerve pain.

Once you know what is wrong, you can focus your energy on rehabilitation. Usually there are many avenues to explore, including surgery, passive manipulation, Yoga, Tai Chi, Pilates, Alexander Technique or Chi Kung. What works well for some may not work at all for others, so it is important to explore as many avenues as possible and try to keep positive.

The information in this article should not be used to diagnose, treat, or prevent any disease. You should always consult with your health care professional especially relating to the suitability of exercises, supplements, or drugs and on all health matters that may require diagnosis or medical attention.

Drive safely on dark, icy winter roads

By Jordan Perch and Anna Lynch

Driving at night can be dicey any time of the year. It's difficult to see on dark roads, especially in the glare of new LED headlights, and animals or weather conditions can add extra levels of danger. Here are some tips for driving at night.

Keep your guard up. You may want to distract yourself with the sight of a glorious sunset, but that's not the best thing to do when driving. Put the gadgets away and don't mess with your phone for calls, texts, or music. You can have your coffee or latte, just make sure your eyes are open.

Have company. We highly recommend to travel with friends. When you start to feel tired, they can keep you awake with conversation or a kindly grumble. Bring company to keep you going and take turns if they know how to steer the wheel! If you can't bring a friend, bring some upbeat tunes. Nothing soporific—the louder and bouncier the better. Belt it out! In the dark, no one can see you sing.

Do not ignore GPS. These signals are really helpful in the deep hours of the night. Imagine you are somewhere in the suburbs and find it problematic to get to the main road. With the use of the navigator, you will be able to follow your tracks and be totally cool with the surrounding landscapes. Don't take a shortcut if you're not sure where you are.

Take the kit. If you are worried about traveling in the night time, we advise you take an emergency kit. The essentials may include an extra blanket and a pair of flashlights, your best friends when things get dark. You can take more than that in case there is a long journey ahead and you want to be in your best state while driving. Water is number one necessity on the trip, and snacks can do magic as well as an extra pair of shoes.

Check your car. You can have a stop by at the nearest maintenance spot and get your car checked in and out. A



routine inspection will help to determine the problem and get ready for a night pass. You will also have the chance to catch a breath of air while the aces deal with your vehicle.

Driving a motor vehicle at any time of day can be a pretty complicated thing. Driving in winter, on icy roads is even more difficult and complicated. You need to be extra careful and know how to handle steering, braking, accelerating, and turning, among other things. Plus, you have to equip your car with the right set of tires, and snow chains.

If you don't want to have troubles on an icy road, one thing that can help you with that is making sure to hit the road early and give yourself enough time to get to your destination, so that you don't have to drive too fast, which is very dangerous in such conditions.

First and foremost, you have to drive slowly and well below speed limits. Speed limits should be obeyed at all times, but it's even more important when driving on icy roads. Also, you should avoid getting too close to the vehicles in front of you, so that you can leave enough space for braking and avoiding a collision in case the car ahead of you stops suddenly. Skidding is one of the most common issues that

occur when driving in winter. You can avoid skidding if you don't accelerate or brake too hard, and if you don't make too sharp or sudden movements with the steering wheel.

Going into corners on icy roads is another huge concern. What you should do is start slowing down way before you get to the corner, otherwise you'll have to hit the brakes hard, and that's how skidding occurs. Also, change gears before you start turning, and then slowly accelerate once you get into the corner.

As far as equipment is concerned, you can't use regular tires if you need to drive on ice. They must not be too worn, and there has to be enough tread on them. Additionally, putting snow chains on your tires will give you even better traction, which is very important.

Lastly, the type of vehicle you drive can make a huge difference, as well. If you can afford it, you should get a 4-wheel-drive vehicle with an electronic stability control system.

Jordan Perch is an automotive researcher and blogger at DMV.com. Anna Lynch is a freelance writer from New York.

SAFETY ... IT PAYS



If you can eat together, do it safely

By Georgie Hawthorne

Potlucks and employee lunches are a great way to encourage positive relationships, but food poisoning is never a good thing. Here are some general rules to ensure a clean and sanitary environment for preparing, serving, and storing food.

Personal hygiene – One of the most important aspects of preventing contamination of food is to ensure that all staff handling any type of food adhere to strict personal hygiene rules. Since all types of microorganisms can be transferred from a person's hands to the food they are preparing, it is imperative that staff members know the importance of always keeping their hands clean. For this, the management should provide soap or handwash in the kitchen, so that regular handwashing is promoted among the staff, such as before starting work, before performing a specific task, after ending a particular task, when switching stations, if they

have touched any part of their body or any outside surface etc. After washing, hands should be dried using a disposable towel. Hair can also contain microorganisms that can contaminate food, so employees with long hair should put it back to prevent hair from falling into food.

Food storage – Food should be stored in a proper manner in clearly marked containers, and it should be remembered that different types of food should be stored separately. For example, raw meat and cooked meat should never be stored together, and the same goes for raw meats and vegetables. Staff should ensure that containers have air tight lids, and that all food items stored should have the date purchased clearly marked on them. Food should be stored under specific temperatures suitable for each different item.

Cross contamination – It is important to have clearly marked separate utensils for different types of food in order to

prevent cross contamination, such as chopping boards, knives etc. One way this can be easily done in by color coding the equipment in the kitchen, so that everyone is aware of which item should be used with what types of food.

Serving food – Once the food is prepared it should not be touched by hands since the food can get contaminated. Proper utensils should be used to plate the food and servers and everyone should be asked to serve and plate up food without touching it.

Cleaning – The entire kitchen and all equipment should be thoroughly cleaned and sanitized (especially oven and sinks) both before and after cooking and serving to ensure proper standards of hygiene. In addition, a weekly deep clean of the kitchen should be carried out, and a deep cleaning of the kitchen by professional cleaners should be done at least once every six months.

Washing dishes – Washing dishes should be done in a proper manner. Using the right detergents and cleaning fluids is vital to ensure there is no transfer of bacteria from food scraps. Watch out for those nasty office sponges too! Sponges should be replaced weekly.

Safe distance – If there is a current outbreak of COVID-19 or any other pathogen in your community or workplace, limit gatherings where food is served to areas where six feet of distance can be maintained between people who are eating and drinking. If it's possible to eat outside, do so. This might be a great time to consider creating a small covered patio with picnic tables.

OSHA CORNER

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

<https://www.osha.gov/publications>



Georgie Hawthorne is a Sri Lankan writer of fiction and nonfiction, including how-to articles.

Law Talk: Processing time is unpredictable

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can take days or weeks for the document to be processed. The mechanic's lien is stamped "recorded" on the date the document is processed NOT when the document was submitted. This means that your mechanic's lien will NOT be recorded the day it is submitted to the recorder's office. The processing time will depend on the county and the county recorder's workload at the time of submittal. It is unpredictable and cannot be guaranteed.

If the recorder rejects your document, it must be resubmitted as a new document, and you are back in the que once again waiting to be processed. Even if the county delayed the recordation, the mechanic's lien will NOT be backdated.

Online Recordations Are Still Not Available To Attorneys

While some title companies and attorney services may have the capability to electronically record property related documents, electronic recording is not yet available to attorneys. Even if attorneys outsource the recordation to vendors with electronic recording capabilities, the original document with the wet signature must be delivered for the digital recordation. Again, this means mailing, messengering, or expediting the document to the vendor for recordation. This process takes at least a day. Then, when the document is electronically submitted to the county recorder's office, it is not immediately

recorded and is placed in the electronic que and recorded once the county processes the document.

It has now become nearly impossible to prepare, serve and record a mechanic's lien the same day! Since the deadline to record a mechanic's lien can often be short, plan ahead and do not leave your mechanic's lien to the last minute! Give yourself (and your attorneys) at least three to four weeks and sufficient time to deal with unexpected glitches and delays.

If you are unfamiliar with preparing or recording mechanic's liens or have specific questions about application of the mechanic's lien laws and deadlines, you should seek the advice of legal

counsel who is familiar with California lien laws.

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 to 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 or (818) 760-2000.



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