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San Luis Obispo Chapter
California Landscape Contractors Association
Representing the Landscaping & Irrigation Industry



Members of the 2020 CLCA SLO Chapter board of directors were sworn in at the Kickoff Meeting on January 24 at the Custom House in Avila Beach.

Board Meetings

Chapter Board Meetings are held on the third Wednesday of the month.

- **March 18**
12 p.m. Board meeting. SLO Botanical Gardens
- **April 15**
12 p.m. Board meeting. SLO Brew the Rock
- **May 20**
12 p.m. Board meeting. SLO Brew the Rock

In This Issue:

- Meeting Highlights
- You Mean Exempt, Not Salaried
- Sponsor Spotlight: Zurn Wilkins

www.clcaslo.org

Showcase Your Work by entering the SLO Chapter Awards

What better way to show your company provides top of the line, professional service than having "award winning landscape contractor" on your marketing materials. It could happen if you enter your best projects in the 2020 San Luis Obispo Chapter Beautification Awards! Your work is important and deserves to be recognized!

Promote yourself as a CLCA award-winning company to current and prospective clients, on your website and in other promotional materials.

Entering the awards also shows your clients that you are confident of your work and provide a quality product. Share with your clients that you will be entering their project. This may motivate them to embrace enhancements to improve the appearance of the project.

The awards are great for employee morale and provide an incentive for your employees to do their best.

Join us at the Awards Banquet on July 10 at Flying Caballos Ranch in San Luis Obispo. Watch for applications and entry deadlines to be released soon.



Above: The Zigelman Residence by Purlieu Landscapes, winner of the Sustainable Landscape Installation Award in 2017.

2020 San Luis Obispo Chapter Officers

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SLO CLCA Past Presidents

2016-19 Evan Moffitt SiteOne LS Supply	2011 Aaron Huxley Hunter Industries	2005-06 Erik Wolting All Seasons Gardening & Landscaping	1998-2001 Bruce Courter Day Star Enterprises, Inc.	1994 Duane Morris Duane Morris Landscape Designer/Contractor
2014-15 Mike Kneeskern SiteOne LS Supply	2009-10 Erik Wolting All Seasons Gardening & Landscaping	2004 John Doyle J Doyle Landscaping	1996-98 Lloyd Gracey Pacific Coast Landscapes	1993 John Ruggiero Arcadian Gardens
2012-13 David Brown Mari Landscaping	2007-08 Jim Trask California Water Shapes	2002-03 Pat Connelly St. Francis Landscape	1995 Danté D'Alfonso D'Alfonso's Landscape	1991-92 Bruce Courter Day Star Enterprises

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Kickoff Meeting for the Old, the New and the Very Young



SLO Chapter Events

March 18 – Board Meeting
12 noon. SLO Botanical Gardens, 3450 Dairy Creek Rd., San Luis Obispo

April 15 – Board Meeting
12 noon. SLO Brew the Rock, 855 Aerovista Ln., San Luis Obispo

April 16 – Happy Hour
4-7PM. Santa Maria Brewery, 7935 San Luis Ave., Atascadero. Sponsored by Zurn Industries

May 3 – CLCA SLO Family Picnic
11AM-2PM. SLO Botanical Gardens, 3450 Dairy Creek Rd., San Luis Obispo

May 20 – Board Meeting
12 noon. SLO Brew the Rock, 855 Aerovista Ln., San Luis Obispo

June 17 – Board Meeting
12 noon. SLO Brew the Rock, 855 Aerovista Ln., San Luis Obispo

July 10 – Beautification Awards
5-9PM. Flying Caballos Ranch, 1150 Farmhouse Ln., San Luis Obispo

July 15 – Board Meeting
12 noon. SLO Brew the Rock, 855 Aerovista Ln., San Luis Obispo

August 19 – Board Meeting
3-4PM. Figeroua Mountain Brewery, 1462 E Grand Ave., Arroyo Grande

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~KURAPIA~

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You Mean Exempt, Not Salaried

by Steve Cesare, The Harvest Group, (760) 685-3800
<https://harvestlandscapeconsulting.com/you-mean-exempt-not-salaried/>

A business owner from Wisconsin contacted me to say he wanted to make one of his supervisors a salaried employee. By making the supervisor salaried, the supervisor would have a more stable income from week-to-week. I informed the owner that salaried employees can be legally classified as either non-exempt or exempt and that non-exempt salaried employees must still be paid overtime as defined by state or federal law, while exempt salaried employees do not receive overtime pay.

To clarify the distinction between non-exempt and exempt, I gave a brief overview of the Fair Labor Standards Act, Administrative Exemption, which defines the two tests necessary to be classified as an exempt employee:

Salary Test

To qualify for the Administrative Exemption, the employee must be compensated on a salary rate not less than \$684 per week (this rate applies to Wisconsin, though it varies in other states, most notably, California); and

Duties Test

To qualify for the Administrative Exemption, the employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers, and the employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

With reference to the owner's original proposal, the supervisor was making more than \$684 per week and as such, satisfied the requirement of the Salary Test.

However, when asked if the supervisor's primary duty involved manual work (e.g., mowing, edging, pruning, trimming, planting) or non-routine tasks that involved "discretion and independent judgment" (e.g., employee selection, performance reviews, estimating, labor scheduling, reviewing proposals), the owner divulged that during an average workweek, the supervisor spends more

time working with the crews than performing tasks requiring discretion and independent judgment. Thus, it quickly became clear that the supervisor did not satisfy the requirement of the Duties Test. Therefore, the supervisor could not be classified as exempt.

In actuality, the owner simply wanted to classify his foremen as a supervisor and pay him a salary, thinking he could work the supervisor more than 40 hours per week and avoid all overtime expenses (and in some states, required meal periods). Such a misclassification could have led to major fines, unpaid overtime wages, and other financial liabilities to the owner.

Within the green industry, positions at the level of foreman, irrigator and below, as well as mechanic and administrative assistant are almost always non-exempt. Conversely, positions at the level of account manager, estimator, and office manager are almost always exempt. Positions like supervisor must be clearly analyzed against the Salary Test and Duties Test to determine their accurate classification.

The owner could make the supervisor a non-exempt salaried employee, which would require overtime payments; but he could not legally make the case for the supervisor to be an exempt employee.



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Chapter Sponsor Spotlight



Zurn Wilkins

Zurn Industries delivers industry-leading water safety and water pressure management solutions with our Zurn Wilkins irrigation series products. Developed with an emphasis on superior performance, customer value, and lowest lifecycle costs, Zurn Wilkins irrigation products are the smart solution — saving contractors time and money.

At Zurn, we understand the importance of a healthy exterior environment, and believe your irrigation systems should be designed to protect your customer's investment. Zurn Wilkins irrigation products protect the potable water supply and manage water pressures to pro-

vide water conservation and extend the irrigation system's life. Through reliable performance and simple, low cost repair and maintenance, Zurn Wilkins irrigation products deliver the lowest life-cycle costs. Zurn Wilkins irrigation products provide innovative water control solutions for contractors.

Zurn Wilkins irrigation videos are available on YouTube. Easily troubleshoot and complete repairs in less time for backflows, pressure reducing valves and automatic control valves with the help of step by step YouTube videos. Zurn Wilkins has a new Irrigation Playlist on their One Zurn YouTube Channel, a complete video library that puts valuable videos in one location. Zurn has a large

library of helpful irrigation videos that cover start-up, winterization, step by step troubleshooting and repair guides, and product overviews to help you maintain optimum system performance.

Zurn Industries manufactures a spectrum of advanced water solutions including site drainage, water safety and water control, behind-the-wall plumbing systems, and front-of-wall fixtures and trim. We're focused on solving smarter for our customers through continuous improvement. Our innovative thinking keeps us forging ahead in customer service, specification and design expertise, lean construction, and products that provide low lifecycle costs.

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