

the

TOOLBOX

November 2018

Best Practices for Working with a New Client

Are you working with a new client? These best practices can help you avoid miscommunications, client disputes and even scams.

Get a contract. Contracts and 3 consumer notices are required for jobs that exceed \$2,000. Don't begin work until both parties sign.

Meet with clients in person at least once. Discuss projects in person before you get started on the work.

Outline important information on the contract. Include your name, address, phone, CCB #, customer name/address, address of job site, description of work, price/payment terms, explanation of property owner's rights, mediation or arbitration clauses.

Take care when communicating over text message. Misunderstandings happen easily, especially when communicating by text message. Use texts sparingly.



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New Online Manual Is Available

The contractor manual has been updated and the second edition is available for sale online at <https://www.nascla.org/store/ListProducts.aspx?catid=567816>. A new electronic version of the manual is available for purchase. Upon purchase, you'll get an access code card in the mail with your login information. **Note:** The online manual cannot be used in the licensing test. New contractors seeking their license can only use the hard copy in the exam.

Oregon OSHA Puts New Silica Rules in Effect

Crystalline silica is one of the most common minerals on earth. Silica dust particles are tiny; some are about 30 times smaller than the width of a single human hair. Contractors produce silica dust when they engage in construction activities like drilling, sawing, crushing and cutting soil, rocks and sand. Silica dust particles can hang in the air for a long time and are easily inhaled.

What's the Danger?

When they enter the body, silica particles penetrate deep into the lungs and become trapped there. These particles damage the lungs slowly, causing scar tissue to form masses called *nodules*. Nodules make breathing difficult. Severe cases can be fatal. Once nodules have formed in the lungs, the damage is irreversible. Low but frequent exposure to silica dust can cause a condition called *silicosis*. Workers may take 10 years or more to develop symptoms of chronic silicosis. As exposure levels increase, symptoms can manifest more quickly, causing accelerated silicosis. At the highest level of exposure, workers may begin to show symptoms of acute silicosis within a few weeks.

OSHA's New Rules Help Protect Contractors

Oregon OSHA's new rules help contractors protect themselves and their employees from exposure to silica dust. These rules, which are in effect now, limit permissible exposure levels. To do this, OSHA's new rules require contractors to perform a workplace exposure assessment, prepare a written exposure control plan, and establish restricted areas. One component of the rules to consider is Table 1. It lists 18 common construction tasks that create high levels of silica dust and describes the engineering controls, work practices, and respiratory protection necessary for each task. When you follow the control methods in Table 1, you are not required to conduct an exposure assessment.

To understand Table 1, use Oregon OSHA's guide: <https://osha.oregon.gov/OSHAPubs/5381.pdf>. To get a rundown of all of the new silica rules – not just Table 1 – use another Oregon OSHA guide: <https://osha.oregon.gov/OSHAPubs/3301.pdf>. Likewise, Oregon OSHA's June/July 2018 edition of the Health and Safety Resource newsletter discusses silica at length and provides an excellent overview of the new silica rules: <https://osha.oregon.gov/pubs/newsletters/resource/print/2850-2018-07.pdf>.

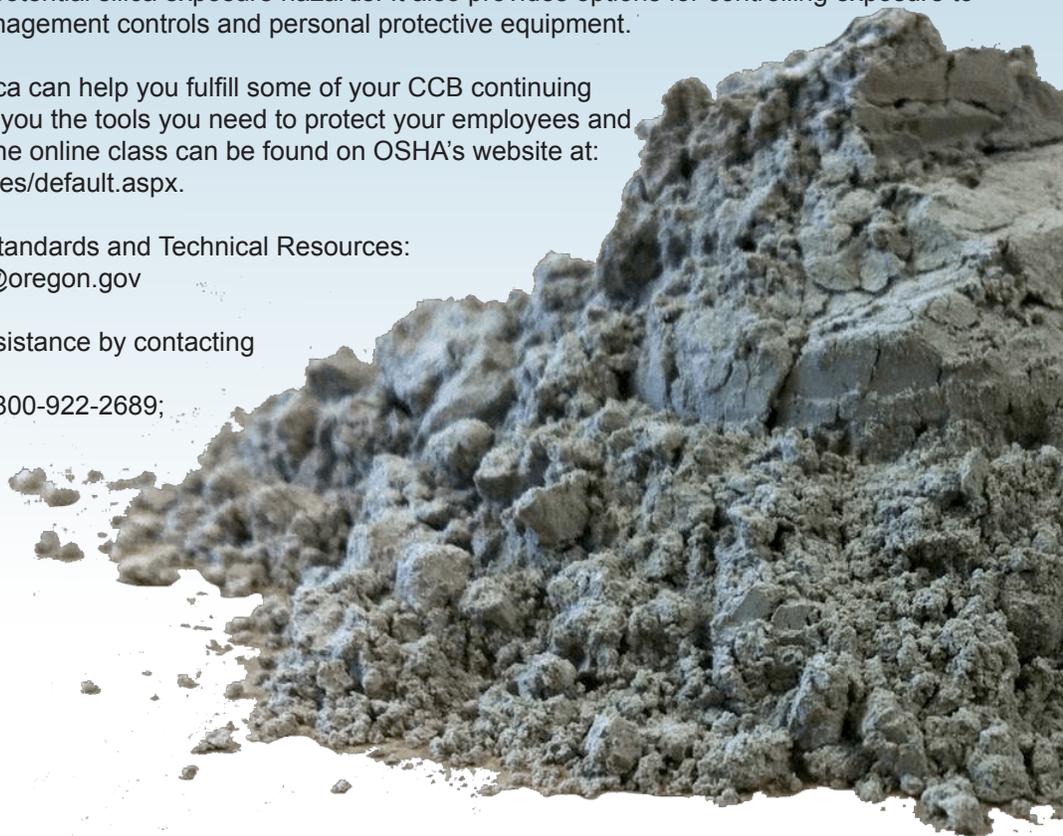
Educate Yourself about Silica and the Rules

OSHA's online course about Silica is approved for one hour of continuing education credit with the CCB. This course teaches contractors how to identify and evaluate potential silica exposure hazards. It also provides options for controlling exposure to silica, including engineering controls, management controls and personal protective equipment.

Taking time to educate yourself about silica can help you fulfill some of your CCB continuing education requirements while also giving you the tools you need to protect your employees and yourself from this occupational hazard. The online class can be found on OSHA's website at: <https://osha.oregon.gov/edu/courses/Pages/default.aspx>.

For questions, contact Oregon OSHA's Standards and Technical Resources:
503-378-3272; 800-922-2689; tech.web@oregon.gov

You may also request no-cost, on-site assistance by contacting OSHA's Consultative Services: 503-378- 3272; 800-922-2689;
consult.web@oregon.gov





KEY CONTACTS

- Licensing:
503-378-4621
- Report unlicensed activity:
503-934-2229
- Dispute resolution (mediation):
503-934-2247
- Education:
503-934-2227

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Why should I update my address with the CCB?

Besides the fact that it is **required** by Oregon law, there are other reasons to notify CCB when you change your address.

All communications relating to your contractor license, including renewal forms and notifications of law changes, are mailed to the mailing address on your license record. If you don't receive these notices, it could result in negative consequences, including license expiration, suspension, civil penalties, or even revocation.

There are three ways to update your address with CCB:

- Change it through your online services account
- Submit the address change form which can be found on our website, or
- Send an email to ccb.info@state.or.us.

Exempt or Nonexempt?

Which contractors are exempt, and which contractors are nonexempt?

For all contractors who have employees, their workers' compensation status must be nonexempt, and they must obtain and provide workers' compensation insurance policy information to the CCB.

For all contractors who have leased employees, their workers' compensation status must be **nonexempt**, and they must provide either the leasing company's workers' compensation insurance policy information, or their own workers' compensation policy information, to the CCB.

For residential contractors who do not have employees, their workers' compensation status must be **exempt** and they do not need workers' compensation insurance.

Are there any exceptions?

Commercial contractors whose workers' compensation status is **exempt** because they don't have employees, must obtain and provide "personal election" workers' compensation insurance policy information to CCB.

You can learn more about workers' compensation on our website: <https://www.oregon.gov/CCB/licensing/Pages/workers-comp.aspx>

Catch Us at JLC Live!

CCB will have a table at the industry trade show JLC this November 29 and 30th. Stop in and see us for the latest information about CCB rules and regs, and some great give-aways. JLC takes registrations online. Use promo code **ASSN** to get \$15 off early pricing.

Education Requirements: A Tutorial for Contractors

All contractors, unless exempt, are required to complete continuing education to maintain their license. Requirements vary between commercial and residential contractors. Here's what you need to know to meet the continuing education requirements.

Residential Contractors

How many hours do you need?

Unless exempt, all residential contractors need the following continuing education every two-year license period:

- 3 hours of **CCB** laws, regulations and business practices classes **PLUS**
- 5 hours of other **approved** courses if you have been licensed by the CCB six or more years **OR**
- 13 hours of other **approved** courses if you have been licensed by the CCB less than six years

Where can I find approved classes?

Generally, only courses listed in the **Course Catalog** on the CCB website (<https://www.oregon.gov/CCB/education/Pages/CE/coursecatalogs.aspx>) are approved for credit.

How does the CCB track credits?

The CCB will have a record of the three hours of courses you take from CCB. Certificates from other approved providers must be sent to us. Some course providers notify CCB when contractors complete a course; others do not. Send course completion proof to cecerts@state.or.us. Make sure your CCB number is on the certificate or in the email! Residential contractors cannot renew a license until the CCB has proof they met the continuing education requirements.

Contractors licensed for both commercial and residential work are subject only to the commercial education requirements.

Commercial Contractors

How many hours do you need?

Unless exempt, education requirements for commercial contractors are based on their **Level 1 or Level 2** status. You must meet these educational requirements **every two years**. When you renew your license, you will be asked to certify that you completed the education. Keep a record of all the education completed to present in an audit.

Level 1: Hours based on number of **key employees** specified on your last renewal.

- 5 or more key employees: 80 hours
- 4 key employees: 64 hours
- 3 key employees: 48 hours
- 2 key employees: 32 hours
- 1 key employee: 16 hours

Level 2: 32 hours of education completed by key employees.

Who are key employees?

A **key employee** is an owner or employee who is a corporate officer, manager, superintendent, foreperson, lead person or any other person who supervises construction activities.

Who can take classes?

One key employee or multiple key employees can complete class requirements.

What courses qualify?

Commercial contractors can take a variety of courses on construction methods or business practices to meet their continuing education requirements. The CCB does not need to pre-approve courses or providers.

Many commercial contractors get continuing education credits from colleges, trade schools, private companies and public agencies.

Exemptions from Continuing Education

Contractors who do continuing education for another Oregon license may be exempt from CCB continuing education. This includes (but is not limited to) architects, developers, engineers, electricians and plumbers. A complete list of commercial contractors who are exempt from continuing education may be found online at <https://www.oregon.gov/CCB/education/Pages/com-requirements.aspx>.

Want free educational materials for homeowners? We'll send you some!

CCB publishes educational materials to inform homeowners about the value of hiring licensed contractors.

1. **Business card holder trifold.** This popular trifold can be used to hold your business card! It also gives step-by-step instructions that teach homeowners how to check a license on our website.
2. **Guide to hiring contractors.** This guide provides in-depth information about how to take a home improvement project from start to finish.

Both publications make excellent reference materials for homeowners, and make excellent talking points when meeting with new clients.

We'll send you these materials **for free!** To request some for yourself, email us at ccbeducation@ccb.state.or.us or give us a call at 503-934-2227.