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



The Siena House Maternity Home installed by K&D Landscaping, received top honors bringing home the Nelson Colvin Humanitarian Award, sponsored by the CLCA Auxiliary. See page 4 for a complete list of chapter winners.

Chapter Members Bring Home Gold

The prestigious CLCA Trophy Awards took on a new look this year as members around the state shelter in place. But that did not daunt CLCA staff who put together an entertaining virtual ceremony to showcase the best of the best of green industry professionalism on November 14.

CLCA received more than 80 entries in the 2020 competition, and each and every one was individually judged by two highly regarded landscape contractors-- Jay Tripathy and Brad Fowles. The judges rated projects on their artistic and technical merits.

Members of the San Luis Obispo chapter were big winners bringing home 4 awards and 2 special awards. Congratulations to Arcadian Gardens and K&D Landscaping Inc. You made us proud!

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That Means I Can't Sue My Employer

Steven Cesare, Ph.D. The Harvest Group, Landscape Business Consulting | harvestlandscapeconsulting.com

I was walking around a landscaping conference the other day, and my cell phone rang. Not unusual, since I get several phone calls from unfamiliar telephone numbers connecting me with various business owners looking for an answer to a pressing human resources question, every day. However, this call was very different to say the least.

An employee from a California-based company found my telephone number and sought my advice on a payroll practice. By way of background, as most rational people would attest, California has numerous wage and hour laws that easily exceed the definition of being burdensome. One such set of wage and hour laws addresses pay stubs: The document that accompanies a paycheck given to an employee. California law stipulates that 10 pieces of very precise information must be found on every pay stub, lest the employer be confronted with severe financial penalties. Beyond that requirement, California law requires that every employee receive a pay stub from their employer each pay day. That point was the premise for the employee phone call.

The employee told me that his employer provides all company employees with an electronic pay stub each pay day. But he wanted to know if that electronic document satisfied all legal requirements in the same manner that a paper document would meet the standard. In response to his question, I simply said "yes."

Incredulously, he pursued further by stating, "Are you telling me that both the electronic and the paper pay stubs satisfy California law?" Again, I repeated "yes." After some interesting combinations of profanity, the employee said: "But that means I can't sue my employer!" To which I remarked, "So you are upset that your employer is treating you fairly, in

compliance with state law?" As you would gather, he then responded, "You don't understand, that means I can't sue my employer." I ended the conversation immediately thereafter.

It's difficult for business owners to not be paranoid. Aside from the specific issue in this phone call, business owners must always be prepared, compliant, and clairvoyant, especially when involving wage and hour issues. For example, employers must:

- Become fluent with all relevant local, state, and federal wage and hour laws,
- Train relevant managers and supervisors on the proper administration of those laws,
- Hold managers, supervisors, payroll staff, etc. accountable for ensuring legal compliance,
- Conduct regularly-scheduled (e.g., monthly, quarterly, annually) wage and hour audits,
- Purchase the wage and hour add-on coverage, as part of your company's EPLI policy, and
- Remember there is "personal" liability for many local, state, and or federal wage and hour violations.



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Above: Britton Middle School by K&D Landscaping Inc. winner of the Herb Frank Memorial Award, sponsored by Kellogg Garden Products, at the CLCA Trophy Awards held November 14.



Contra Residence by K&D Landscaping Inc. winner of the Large Residential Installation Award sponsored by AG Sod Farms Inc.



McIntire's Lazy J Ranch by Arcadian Gardens winner of the Special Effects Award sponsored by CLCA Insurance Solutions.



Hull Residence by K&D Landscaping Inc. winner of the Residential Estate Installation Award sponsored by Ewing Irrigation and Landscape Supply.



The Patio Shopping Center by K&D Landscaping Inc. winner of the Small Commercial Installation Award sponsored by Synthetic Turf Resources.

LEAF Scholarship News

Nine Green Industry Students Receive A Total of \$38,100 from LEAF

By Marianne Estournes, Chair, LEAF Scholarship Selection Committee

The 2020 Landscape Educational Advancement Foundation's Scholarship Selection Committee is done for another year. Students have received their checks and are hopefully enjoying a lighter burden of educational expenses.

I have had the honor of serving on the Landscape Educational Advancement Foundation's (LEAF) Selection Committee since 1992 and have been Selection Committee Chair since 2017.

I have always enjoyed serving on the committee, reading the stories of students through their application and letters of recommendation and then awarding scholarships to students who meet the criteria and align with the goals of CLCA. I enjoy collaborating with the women on the committee, gathering our scores, discussing our different impressions and thoughts and then watching the "cream rise to the top" as we select the best students.

I truly appreciate the relationships I have made with my fellow committee members, Mary Cohen, Jan Nord, Wendy Emeterio, Ellin Chariton, Cindy Singletary, Lani Hanker and Jill Hertzler. While we cherish our in-person selection gathering, we adapted for 2020 and held our meeting virtually in one day.

As Selection Chair, I now have the privilege of actually speaking with the recipients, fielding questions, confirming addresses and just conversing with them. We do text and email but actually speaking to these young people has been a real joy. They are grateful, humbled and honored to be chosen as a recipient and have not hesitated to express their gratitude.

These students were chosen for various reasons, not only on eventual goals, but for their dedication, their involvement in community and school projects, obstacles they have overcome and for what their professors expressed in their letters of recommendation. Many students underplay themselves in the application and many professors say pleasant, generic comments in their letters. But some recommendations go deeper into a student's character and involvement with class and school or job performance and have clear reasons why this student will go forward, suc-

ceed in their goals and serve the Green Industry.

Thank you to Candi Fiske and the men and women who had the vision for LEAF and made it a reality. And thank you to all members who have donated to LEAF over the years and helped to grow the assets to over \$1 million. Without your generous donations LEAF would not be able to support these students.

Thank you to CLCA Executive Director Sandra Giarde, CAE, and the CLCA staff for their work in making all of this possible. They receive the applications and distribute them to the committee. Sandra also does all of the initial promotion of the scholarship in January. We so appreciate your efforts!

Following is a list of the amazing students who received scholarships. Please look for their names on job applications.

2020 Recipients

Christopher Burroughs is majoring in Environmental Science and Sustainable Landscape at Mira Costa College. He wants to get his C-27 license and transfer to Cal Poly to get his BS.

Helene Dondero is studying at Cal Poly, SLO to become a high school agriculture teacher with her emphasis on landscaping and horticulture. She has a strong background with FFA.

Edward Fortenberry is majoring in Environmental Horticulture and Plant Science at Butte College. His family lost their home in the 2018 Paradise fire and is currently involved with the rebuilding of his city. His goal is to become a C-27 contractor.

Daniel Hurt is majoring in Plant Science and Pest Management at Cal Poly, Pomona. He is a veteran with a young family.

Dani Lima is majoring in Environmental Science, Plant Science with a focus on drought-tolerant, California natives at Mt San Antonio College. She will transfer to Cal Poly next year.

Ignacio Moreno started at The College of the Desert and is now attending Cal Poly, Pomona. He is majoring in Plant Science and Landscape Architecture. He has a C-27 license and just become a Certified Arborist.

Greg Thayer is at Cal Poly, Pomona, majoring in Landscape Architecture with a minor in Regenerative Studies. He has an AA in Arboriculture. He wants to specialize in ecological landscape design, focusing on water conserving landscapes.

Shana Seligman is attending Cabrillo College majoring in Horticulture with a focus toward Nursery.

Jing Yan is attending Foothill College with the goal of becoming a Landscape Designer and Horticulturist.

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In Memory: Bruce Courter

It is with much sadness that we report the passing of CLCA Life Member Bruce Courter, who passed away on November 28. A stalwart of the San Fernando Valley and San Luis Obispo chapters, Bruce was the owner and president of Paso Roble's Day Star Enterprises, Inc. According to a post from his family on Facebook, "Dad did not want to have a memorial or burial but will have a flag flown over the White House in honor of his service to his country."

A Navy Seabee and graduate of Cal Poly SLO, Bruce freely shared his expertise and enthusiasm. In addition to serving as president of the San Fernando Valley and San Luis Obispo chapters (twice! 1992 and 1998-2001), he served as an instructor for CLCA at various events (including the 2014 Landscape Industry Show).

In 2014, Bruce and his wife Carrie pulled up stakes in California and headed to Missouri to be closer to their daughter and her family and to escape the rising

cost of living on the Central Coast.

In a January 2015 president's message published in the SLO xPress, Mike Kneesern lauded Bruce, who had retired and moved out of state. "He is our founding member. He has put on some fantastic beautification awards ceremonies, which many of you have enjoyed. He has built and maintained our membership throughout the years, relentlessly showing our local contractors why it is just plain silly to NOT be a member! He has worked at the state level in many capacities, and it is safe to say that the C-27 license you all carry would not be what it is today had it not been for the efforts of Bruce Courter and other champions of our organization. Bruce is a craftsman like no other. He is a husband, father and grandfather. He loves both his blood family and his CLCA family and has served both in a way that all of us should seek to duplicate. He is someone I look up to personally and professionally, and he has always been a shoulder to lean on as I have learned and continue to learn how to serve this organization."

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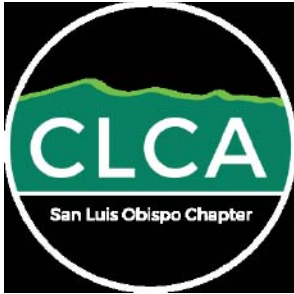


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