

# *The Californian*

## *The Quarterly Newsletter of*



*May 2020*

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## PRESIDENT'S REPORT

David Chandler, CALSAGA President

What an unusual time we are living in. I hope that you, your families and your teams are staying safe. I have been working with our lobbyist Kelly Jensen of Sloat, Higgins, Jensen to implore the Office of Governor Gavin Newsom to reinstate Temporary Guard Registrations through an Emergency Order. This would allow security companies to issue Temporary Work Permits to individuals applying for a Guard Card so long as he or she attest to not being convicted of a crime (or out on bail). These permits would be valid for sixty days during which time BSIS could process the application for a permanent Guard Card. This temporary work permit would also delay the initial training requirement of 8 hours and the Live Scan for sixty days. In the interim of such an order being issued, BSIS Chief Lynne Andres has agreed to expedite the processing of new Guard Card applications to assist companies with getting officers to work as soon as possible. Our staff is happy to assist members with submitting these expedite requests. See the Regulation Corner on page 4 for more information. Please remember that even in

these unprecedented times, the laws are still in place. The Bureau is still conducting enforcement efforts.

I would like to congratulate CALSAGA Board Member Mark Miller of Securitas Security Services who has been appointed to the BSIS Advisory Committee. Mark shares CALSAGA's views on continuing to bring about greater accountability in licensing, training and background screening standards for the security industry; this role is a great match for his skills and experience.

Thank you for your continued support of the association. We will continue to provide you with relevant COVID-19 related resources and information.

Be Safe,



David Chandler and his wife Shirley at the 2019 CALSAGA Annual Conference Awards Dinner

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# REGULATION CORNER

David Chandler, CALSAGA President

## Insurance Requirements

Even if your business is not operating due to COVID-19, Private Patrol Operators are required to maintain sufficient insurance. Per section 7583.39 of the Business and Professions Code, if a licensee fails to maintain sufficient insurance the license shall be automatically suspended by operation of law until the date that the licensee provides proof to the bureau of compliance with the insurance coverage requirement. Make sure to keep your insurance policy in place to avoid a disciplinary action!

## Expedited Guard Cards for Officers Working for CALSAGA Member Companies

The BSIS will accept expedite requests through May 31st, 2020.

- Submit new Guard Card applications online through BreZE
  - Existing requirements for training and Live Scan are still in place.
- Email the following information to [members@calsaga.org](mailto:members@calsaga.org):
  - Company Name and Contact Phone Number
  - Officer First and Last Name
  - Officer Date of Birth
  - Officer Social Security Number
  - ATI Number



# ASSOCIATION MANAGER REPORT

Kate Wallace



In March (which feels so long ago now!) the association held our first session of Security

University for 2020 in Pleasanton, CA. For the foreseeable future our Security University program has transitioned to an online format. In April Anne Laguzza and Gary Bradley presented great information during our Security University Lite Webinar: Navigating Human Resources During a Pandemic. Thank you again to Silvertrac Software who sponsored that webinar. I hope that you will register for our next webinar on May 20th which will cover BSIS Compliance and Audits. At the time of publication the 2020 CALSAGA Annual Conference is still scheduled to take place October 20th - 22nd at the Agua Caliente Resort in Rancho Mirage. We will continue to monitor the situation as well as reports from the Office of Governor Gavin Newsom and the Center for Disease Control. Our team genuinely hopes to be with you in October but, should we not be able to hold the physical event as scheduled, we will transition the event to an online format so that you will still have access to some of the great content we provide each year at our CALSAGA Annual Conference. As always we will keep you updated of any changes. Please do not hesitate to reach out to me at [kate@calsaga.org](mailto:kate@calsaga.org) if you have questions or if I can do anything to support you.

An advertisement for TRACKTIK. The background image shows a security guard in a black uniform and cap, looking to the side with his hand near his face. The TRACKTIK logo is in the top right corner. The main headline reads 'Give Your Workforce More Flexibility & Support Compliance'. Below it, a sub-headline says 'Automate manual processes, track and schedule your guards, generate reports from captured data, and efficiently manage meals and breaks regulations.' At the bottom, a red banner contains the contact information: '+1 888 454-5606 | DEMO@TRACKTIK.COM | TRACKTIK.COM'. The word 'SECURITY' is faintly visible in large letters across the middle of the image.

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**Congratulations to Bureau of Security & Investigative Services Chief Lynne Andres who was confirmed by the Senate on February 11, 2020.**

Pictured: CALSAGA lobbyist Kelly Jensen, CALSAGA Board Member Mike Smidt, CALSAGA Program Manager Kris Smidt, CALSAGA Association Manager Kate Wallace, CALSAGA Board Member Mark Tsuji, CALSAGA Board Member Mark Miller

# SAFETY - 2020

## COVID-19 PANDEMIC

Shaun Kelly, Tolman & Wiker,  
CALSAGA Preferred Broker



We hope everyone is safe and healthy during this time.

The COVID-19 global pandemic has modified the way we live, how we interact with others and how we conduct our businesses. It is impossible to predict exactly what the world and our daily lives will look like going forward. However, we can assume that we will all be required to implement safety policies and procedures to protect ourselves, employees, clients and the public from infectious diseases. This will include providing a safe workplace/ worksite and complying with new safety regulations.

To assist in providing you guidance and resources, here is information that may help you prepare for what is expected of you now and what may be expected of you in the future regarding safety policies, procedures and training:

### **Safe Workplace/Worksite**

Cal/OSHA recommends employers to follow recommendations from the Centers for Disease Control. Employers are required to determine if COVID-19 is a hazard in their workplace. If there is a workplace hazard, then employers must implement proper measures and provide training to their employees on their COVID-19 infection prevention methods

### **Employee Training**

- Encourage employees not to come to work if sick or if there is a sick member in their household
- Identify potential source of exposures at work, especially if working with clients/ public What engineering and administrative controls are being implemented to protect workers
- What PPE is being provided to protect workers

### **Cal/OSHA**

### **California Department of Public Health (CDPH)**

### **Center for Disease Control (CDC)**

### **Compliance**

To stay current and up-to-date on COVID-19 Safety Compliance and Training, which seems to be changing daily, we consult with GotSafety. They have been a great resource for us and our clients. COVID-19 has brought up new safety concerns and below is a link to a webinar they provided on that subject. Included are guidelines to an "Infectious Disease and Response Plan". Also, a "Training Lesson" specific to the Security Industry should be completed soon.

**Click here to review the webinar to assist you with your own Safety Program**

### **COVID-19 Claims- Latest CA Workers' Compensation Update**

Two major decisions pertaining to COVID-19 claims taking place.

The first is that Governor Gavin Newsom is prepared to issue an executive order that would create a conclusive presumption that COVID-19 illnesses and deaths sustained by "essential workers" are work-related, and therefore covered under workers' compensation policies.

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## LOS ANGELES SECURITY COMPANIES WILL BE SUBJECT TO NEW RIGHT OF RECALL AND WORKER RETENTION ORDINANCES

Jaimee K. Wellerstein, Esq. &  
Annette M. Barber, Esq.  
Bradley & Gmelich LLP,  
CALSAGA Legal Advisor



After much discussion and several modifications, on April 29, 2020, the Los Angeles City Council voted to adopt two controversial new Ordinances aimed at regulating the order of rehiring laid-off employees due to the COVID-19 pandemic and requiring retention of existing workers for up to 6 months in the event of ownership transfers in Los Angeles. The Mayor is expected to approve both. [Although these only apply to the City of Los Angeles, we suspect this will grow into a statewide trend.]

The Ordinances will apply to all security companies with 25 or more employees who provide security services to commercial properties. It also applies to all businesses in the hospitality sectors (includes hotels, event centers and sports venues), property management services, and airport services. It includes those contractors and subcontractors with 25 or more employees who provide janitorial, maintenance and security services to those sectors, as well.

The Ordinances provide a worker the right to bring a private cause of action against an Employer for violating either Ordinance after providing the Employer with an opportunity to cure the alleged violation. Workers can be awarded reinstatement rights, front and back pay, benefits they would have received, attorneys' fees and costs, and punitive damages for violation of the Right of Recall Ordinance only. The Ordinances are set to be reviewed again on March 1, 2022.

### **Right of Recall Ordinance**

The Right of Recall Ordinance would require Los Angeles businesses that earned gross receipts in excess of \$5,000,000 in 2019 and that laid off non-supervisory employees with six months or more of service for non-disciplinary reasons on or after March 4, 2020, to notify the employees (in writing) of any job openings for which they are qualified, and to offer open positions in order of seniority.

Being qualified is defined as holding the same or similar position at the same site of employment at the time of separation; or the laid-off worker can become qualified with the same training that would be provided to a new hire for that position. If more than one laid-off worker is qualified, the employer would have to offer the position to the worker with the most seniority at the employment site. The laid-off worker then has five (5) business days to respond to the offer.

The Ordinance also creates a rebuttal presumption that all layoffs and terminations occurring on or after March 4, 2020 were for non-disciplinary reasons.

### **Worker Retention Ordinance**

The Worker Retention Ordinance would apply to businesses that have or will change ownership or control from March 1, 2020 through March 1, 2022, requiring them to provide seniority preference to certain workers if there is a change in business ownership within two years of the pandemic emergency declaration.

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# PHYSICAL SECURITY SUCCESS DURING COVID-19

Chris Anderson, Silvertrac Software



We live in a modern world, where science and technological advancements drive our day-to-day life and the growth of our communities. It was a world many thought was at least mostly bulletproof against mass disruption caused by new ailments and diseases. But then **COVID-19** hit, and most of us got tossed into the chaos of figuring out what to do during this unique crisis.

What happens to our families? To our businesses? To our employees? What happens to our world as we know it once this passes?

While the world continues to be blinded by noise and chaos, our loved ones either shelter-in-place as non-essential workers or go out into the world to heal and protect our communities.

The Silvertrac team has dedicated its efforts to bring some **clarity to the noise** by providing informative and helpful resources to security personnel and healthcare workers so they can continue to do their jobs safely and effectively.

## Physical Security Impact

In addition to monitoring this crisis through a variety of sources, we have gotten our insight from clients - directly from the frontlines of security operations. This is what we know about the impact of **COVID-19 on physical security operations** so far:

- Operations that solely contract with events are struggling more than operations that have diversified their clientele.
- Operations that are diversified are seeing an increase in mobile patrol contracts for closed businesses, HOAs, and rental properties.
- Operations are seeing an increase in domestic violence, fights, and violent crimes while shelter-in-home orders are in effect.
- The most successful operations are ones with a firm foundation of delegation/structure, and team members willing to go above and beyond for the sake of maintaining a successful operation.

It is encouraged that all essential workers, including security officers, carry with them an authorization letter, should they be stopped by law enforcement or **National Guard** personnel.

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*The Californian: The Quarterly Newsletter of CALSAGA.*

# INSURANCE IMPLICATIONS OF RISKY CONTRACTS

Josh Ring,  
El Dorado Insurance Agency, Inc



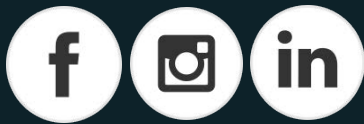
The current economic situation has given rise to an increased number of security companies entertaining contracts that they would normally look to avoid. The continued lack of new work, reduced hours at current job sites and slow-paying customers are forcing security company owners to explore additional sources of revenue in order to keep their companies afloat. While I'm certainly not going to suggest that any firm allows themselves to go "belly up", there are factors that need to be weighed when taking on additional (and potentially riskier) contracts.

First and foremost, make certain to verify that your insurance policy does not specifically exclude coverage for the type of work being entertained. Most insurance policies for security companies have exclusions that deny the company coverage in occasions where certain work is being performed. For instance, the most prevalent exclusion on policies is for "Bars, Nightclubs, Taverns & Similar Establishments". It is my experience that most company owners are aware of this exclusion and will look to avoid these contracts if the exclusion is found on their policy. However, there may be additional exclusions that you should be aware of before entering into a work agreement. If you are unsure, my advice in this situation is to speak with your insurance professional with regards to the coverage on your policy. They will be well versed in the exclusions and should be able to advise if the contract you are entertaining would be covered in the event of a claim.

**CLICK HERE TO CONTINUE READING**

# LEADING AN ESSENTIAL WORKFORCE: TIPS FOR ACTIVELY MANAGING YOUR OFFICERS WHILE SUPPORTING THEM THROUGH CHALLENGING CIRCUMSTANCES

Anne Laguzza, M.A.,  
The Works Consulting CALSAGA  
Network Partner



While many are staying “safer at home,” your officers have been deemed essential and continue working to uphold the mission to protect property and environment. As a leader, you may be feeling the strain of operating beyond business as usual. Your officers may be feeling apprehensive about their normal posts.

In this challenging time, everyone is impacted both personally and professionally, even leaders. Everything is different. Actively managing your officers is critical to serving your clients but equally as important is supporting your officers as they perform their duties during these unprecedented circumstances.

Follow these five tips to actively manage your officers and support them well:

## 1. Communicate Daily

Communication is a critical component of actively managing your officers. When uncertainty is prevalent, regular communication solves issues, often before

they arise, and instills confidence in your workforce.

Using technology is key to staying in contact with your officers. Go beyond text messages and have a voice conversation. This extra step is critical to conveying empathy, understanding and taking a moment to value the officer, especially for officers who work solo without seeing anyone in management for weeks or months and can get disconnected quickly.

Your officers are likely to have questions. Have your officer’s duties changed at their post? Are there new health guidelines or safety protocols they must follow? Do they still report to the same person? If they worked with other officers before, will those shifts now be solo?

Communicate any changes in post directions, check in to see how they’re doing and inquire if they have any questions or need additional support.

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# SWITCHING GEARS FROM PLANNING AND PREVENTION TO PIVOTING

Mark Folmer, TrackTik, CALSAGA Network Partner



While the COVID-19 crisis takes an increasingly devastating toll on the most vulnerable in our society, it is also striking the most resilient: our law enforcement officers. In New York City alone, one out of every six police officers is out sick or in quarantine. In early April, there were more than 1,500 individuals, including 2 police chiefs, and the deputy commissioner in charge of counterterrorism, out of 36,000 NYPD officers, infected with the virus. Across the country, police departments in Detroit, Houston, and Los Angeles are facing similar challenges, but none that matches the magnitude experienced by what has become the epicenter of COVID-19.

With private security companies and their teams of security officers being called upon to provide additional security and support to assist law enforcement, the security industry is quickly pivoting from planning and prevention to response. Security guards are now maintaining social distancing and performing other health and safety checks at hospitals, government facilities, and essential businesses. They are also protecting non-essential businesses such as schools, retail stores, and office buildings that have been closed but still require security. Yet despite the fact that these new public-facing roles come with increased exposure and risks to personal and mental health and safety, security officers are still showing up for work every day.

## CovidCrime is Real

As law enforcement struggles to keep up with the evolving crisis, and individuals are being asked to isolate at home, some criminals are taking advantage of shuttered businesses and deserted streets, leading many law enforcement agencies to urge businesses and commercial property owners to take proactive measures in preventing their properties from being targeted by a wave of what's been dubbed "CovidCrime." So, some closed businesses with storefronts have already started to board up their windows. Other suggested measures include increasing lighting, upgrading entrance locks and security systems, or keeping staff on premise during the daytime hours and hiring private security officers for the overnight hours. To reduce the increased financial burden of extra security, some businesses have started to pool resources, or share services with other tenants in the same building or geographic area. Giving security officers clear and up-to-date instructions is more important than ever considering that in many situations, they may be working alone.



## SAVE THE DATE



## ANNUAL CONFERENCE

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# SIX ESSENTIAL AND ADAPTABLE COMPLIANCE FORMS FOR SECURITY CONTRACTORS

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As a leader of a security company, you're simultaneously tasked with keeping the public safe while also trying to safeguard your employees. That's extra challenging when combined with a rapidly changing regulatory environment that's constantly evolving with new health, safety and training requirements.

Navigating this isn't simple. It requires tools and innovations that are flexible and adaptable and can be easily adopted into your business operations. We've compiled a list of essential field-focused forms to help you navigate through this time using our mobile workforce management tool, Lighthouse.

## Employee Safety Training and Acknowledgment

A simple form communicating risks and protocols to employees and capturing acknowledgment and understanding of these protocols can safeguard your officers and mitigate risk.

What to include:

- How to protect officers from exposure
- Recommended Personal Protective Equipment (PPE) and instructions for use and disposal
- What to do if close contact with an infected individual or area occurs
- Acknowledgment of understanding

## PPE for Law Enforcement

If you operate law enforcement operations with direct physical contact to other individuals and potential exposure to blood, bodily fluids or any other potential infectious materials, PPE and Hazard Communication standards apply. Smart forms can aid you in meeting the training requirements associated with these guidelines and tracking acknowledgement from your officers and employees.

What to include:

- Minimum PPE recommendations and acknowledgment of receipt
- Instructions for application and use of equipment
- Instructions for disposal of equipment
- Instructions if close contact occurred during apprehension
- Acknowledgment of understanding

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In March the CALSAGA Board of Directors Meeting was held virtually for the first time. The May meeting will also take place in a virtual format.







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