

The Californian

The Quarterly Newsletter of



February 2022

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**March 1st - 2nd 8:30am- 4:30pm
Santa Ana, CA**

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PRESIDENT'S REPORT

David Chandler, CALSAGA President

Happy New Year and thank you for reading the first edition of 2022! We are excited to host some great events this year and hope to be able to see many of you in-person after two years of solely virtual events.

Next month in Santa Ana we will host our first session of our management training program Security University. There are many legalities and complexities of running a security business; this event is a great introduction for those new to operating a PPO or looking for advancement within the industry as well as a great brush up for industry veterans. Due to safety protocols, attendance will be limited as to keep seating distanced. **Register today to secure your spot.**

On February 15th the CALSAGA Ambassador Committee will host Coffee Chat, a free virtual event for members at 10am. It will be hosted by the CALSAGA Ambassador Committee and the topic of conversation will be social media for business. **Registration is required.**

The 2022 Annual Conference will take place October 18th - 20th at the Agua Caliente Resort in Rancho Mirage. Sponsor and vendor information will be available later this month and attendee registration will open in the second quarter of this year.

I hope that you will make plans to attend one or more CALSAGA events this year. We will continue to update you on matters that affect you and your business. We appreciate the hard work of you and your employees. Please let us know what we can do to assist you.

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REGULATION CORNER

David Chandler, CALSAGA President

The association staff, board and lobbyist are going to be busy this year with new laws proposed and those getting into effect soon. CALSAGA is working with the BSIS as the new Use of Force Training syllabus is being created. We will keep you updated as the materials are created. As a reminder, the requirement for all officers to complete Use of Force Training goes into effect January 1, 2023.

I am happy to report that hopeful firearms permit licensees will now be able to take their Sixteen Personality Factor Questionnaire assessment prior to receiving their training and applying for the permit. For those who do not pass the assessment, this will save the time and expense of the training and application process. Applicants who do not pass are eligible to retake the assessment after 12 months. [Click here to learn more about the process of making an appointment with PSI.](#)

CALSAGA has a limited number of the 2022 edition California Bureau of Security and Investigative Services Laws and Regulations books available for sale. The books are \$66.00 including shipping. If you would like to purchase a book and request an invoice, please send an email to members@calsaga.org with your name, company, number of books you'd like to purchase and your shipping address.

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OCTOBER 18 - 20
2022

2022 Annual Conference
Agua Caliente Resort
Rancho Mirage, CA



GENERAL LIABILITY INSURANCE – ARE YOU COVERED?

Shaun Kelly, Tolman & Wiker, CALSAGA Preferred Broker



Happy New Year and hope everyone is doing well!

Over time, insurance carriers experience losses or events that make them reconsider providing coverage for certain types of exposures under the Commercial General Liability policy. It is important to note that as each insurance carrier evaluates these exposures, they develop their own underwriting guidelines and can or will modify the terms and conditions in their own policies to minimize risk. It is likely that most of you have not read through your entire policy to understand the coverage terms and conditions, unless you have insomnia and have nothing better to do. To assist you in understanding the Commercial General Liability coverage for contract security services, here is the short version of what to look for, “Exclusions”.

Commercial General Liability (CGL) policies are intended to provide coverage to the Named Insured for their negligence (resulting from the services provided) for bodily injury, property damage, personal & advertising injury to a 3rd party. Most insurance carriers use a standard ISO CGL form and attach endorsements and exclusions to add, remove or limit coverage. We are not going to go through the entire CGL policy, however we are going to discuss some of the exclusions that may be on your CGL policy that you need to be aware of.

The following “Exclusions” may be part of your CGL policy (Some exclusions may be added back with underwriting approval and additional premium):

- Terrorism
- Pollution
- Communicable Disease
- Personal and Confidential Information Disclosure (Cyber liability)
- Employment Practices Liability
- Employers Liability (Part of Workers Compensation policy)
- Abuse and Molestation
- Firearms
- Unmanned Aircraft
- Animal exclusion
- Mobile Equipment (ie. Golf carts, scooters, segways...any vehicle licensed for the public road should be on an auto policy)
- Cannabis Operations
- Public/Low Income Housing
- Airports
- Crowd Control/Concert Facilities/Sporting Events
- Liquor Establishments: bars, hotel bars, nightclubs, lounges...
- Bodyguards: High Profile Individuals/Entertainers/Athletes...
- Baggage checking
- Inside Retail/Loss Prevention
- Convenience Stores
- Fast Food Restaurants
- Schools

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CALIFORNIA SUPREME COURT RULES CALCULATION OF PREMIUM PAY MUST INCLUDE NON-DISCRETIONARY PAY

Martin P. Vigodnier, Esq. and
Jaimee K. Wellerstein, Esq.
Bradley, Gmelich & Wellerstein
CALSAGA Legal Advisor



In what could be a seminal ruling for California employers in the fight over out-of-control wage and hour litigation, the Supreme Court of the United States (“SCOTUS”) has recently granted certiorari in *Viking River Cruise, Inc., v. Moriana* to decide whether federal law permits employers and employees to agree to arbitrate claims individually and waive not just class and representative claims, but California Private Attorneys General Act (“PAGA”) claims, too.

PAGA Refresher

As a brief refresher, PAGA authorizes aggrieved employees to file lawsuits to recover civil penalties on behalf of themselves, other employees, and the State of California for Labor Code violations. Employees act as “private attorneys general.” Employees can pursue civil penalties as if they were a state agency. Each initial Labor Code violation carries a civil penalty of \$100 per employee, per pay period. Subsequent violations



are \$200 per employee, per pay period. 75% of the penalties go to the State, and 25% of the penalties go to the aggrieved employees. These penalties add up very quickly and employers can face hundreds of thousands or even millions in penalties for technical errors or other unintentional violations!

Background of PAGA Waivers

In 2014, in *Iskanian v. CLS Transp. Los Angeles, LLC*, 59 Cal.4th 348 (2014), the California Supreme Court held that waivers of employees’ right to pursue PAGA actions are unenforceable as they violate California public policy. The California Supreme Court also stated that the FAA does not preempt California state law prohibiting PAGA waivers because a PAGA dispute is between the State and the employee, rather than between the employer and the employee.

Viking River Cruise, Inc. v. Moriana

In *Viking River Cruise, Inc., v. Moriana*, the plaintiff worked for Viking River as a sales representative. She sued under PAGA, alleging the employer violated several wage and hour laws under the California Labor Code. Viking River moved to compel arbitration in California state court.

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5 BENEFITS OF UTILIZING SECURITY OPERATIONS MANAGEMENT SOFTWARE

Tony Unfried, CSA360, CALSAGA Network Partner



As the physical security industry continues to evolve, so too has the software being utilized by security companies and their teams. The need for high performance, cost-effective, unified software solutions that help ensure a safe and secure environment has grown dramatically over the last decade.

Benefits of Utilizing Security Operations Management Software for Your Security Company

Regardless of the size or type of security team you manage, implementing security operations management software can alleviate many of the

challenges you face today. This will allow you to enhance security risk management and add to the integrity of the overall security plan for your clients.

Let's take a look at some of the top benefits of utilizing security operations management software to improve your processes and procedures.

1. Manage Risks Associated with Staffing Gaps

Experiencing staffing gaps is a major challenge in the security industry today, with security companies struggling to achieve optimal staffing. By implementing security management software, you will have the tools needed to address these staffing gaps and manage the guards you have more efficiently.

We know that you are focused on hiring, but your client's risks don't stop while you are recruiting new guards. The right software will have features and modules that enhance processes like scheduling and remote monitoring, allowing you to continue managing these risks with a smaller staff.

2. Increasing Workforce Accountability

Increasing workforce accountability can add a range of benefits to your security company. Having a system that makes tracking accountability seamless is crucial in achieving this accountability.

Software that has digital reporting capabilities will allow your guards to submit accurate and complete documentation and allow you to determine who is producing inaccurate reports.

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VIRTUAL
Coffee Chat
Hosted by the CALSAGA
Ambassador Committee
Tuesday, February 15th
10:00am
RSVP Required
Topic for conversation:
Social Media for
Business

CALSAGA
CALIFORNIA ASSOCIATION OF LICENSED
SECURITY AGENCIES, GUARDS & ASSOCIATES

USING SMART SCHEDULING IN YOUR JOB COSTING STRATEGY

Gail Tutt, Team Software, CALSAGA Network Partner



Moving into the new year, it's important to look at how you can strengthen your profit margins. Especially when other market factors (like ongoing labor and supply shortages) are carrying over into 2022. One tactic you can consider? Use scheduling, particularly smart scheduling, as a part of your job costing toolkit.

What's smart scheduling?

In short, smart scheduling is a system that does the heavy lifting for you when it comes to your officer schedules. This means factoring in your contract needs against your available officers, so you can make data-backed decisions when posting officers to jobs based on criteria like qualifications or pay rate.

One simple way to keep jobs profitable is to deploy smart scheduling early in the process. When scheduling, include a parameter search for available guards that fit within a job's contract bill rate. That way, you know officers on shift are within the scope of what's budgeted per job. (If you skip this step, wage creep could get ahead of you, and it can show in your expenses.)

If this isn't something you're used to doing, start by using smart scheduling reports in your enterprise workforce management solution to examine your labor margin direct labor (DL) percentages. If you know a particular job should be performing at a DL of 60%, you can

compare it against your actual percentages to see if a job's material costs are performing higher or lower than budgeted. If it is higher, drill down into the report to identify the problem. Chances are, if there's a problem with one job going over DL, it's a problem across your business. Is a manager scheduling officers without factoring in pay scale? Are you scheduling officers for a shift when a different job is needing their certifications? Is wage creep pushing you over budget?

If your job's DL is lower than benchmarks, you can still dig into the data and see what processes you can repeat on other jobs. From there, it's only a matter of adjusting and measuring outcomes.

At TEAM, we recommend reviewing your DL percentages with regularity. Assuming schedules are updated daily, a good rule of thumb is to review at least weekly. That way, you can catch budget deviation before it comes a larger issue.

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WOMEN, SECURITY AND COVID-19

Ashlee Cervantes, Guard Protection Force & CALSAGA Board Member



How recently have you reviewed your internal Security Officer statistics? Do you know the percentage of women versus men on your team? Now you may be thinking,

“Why does it matter? I hire the most qualified person for the job.”

I wholeheartedly agree with this perspective, I also know that numbers never lie. There’s an entire story they represent and if we listen there’s much to be learned from the stories these numbers can reveal.

As a security professional I am sure you’re already aware of the inherent value women bring to your workforce. Nonetheless, here are just a few of the critical components that highlight the essential need for a multicultural and diverse workforce now more than ever:

- According to Security Magazine, security is one of the fastest-growing professional careers worldwide. Not that I need to tell you this – just speak with your sales and recruitment teams. When you strategize to target and retain female talent you open doors to exacerbate talent growth.
- The issues our clients are facing have evolved over the past 20 years and now require a collaborative, diverse team to address these (literal) life and death problems. Research continues to indicate the more diverse your team – the better the results. Women strategize and think differently than our male counterparts. We tend to naturally leverage empathy, effective communication and emotional intelligence to problem solve and effectively mitigate difficult situations.

- Lastly, when it comes to boots on the ground operations we’ve all heard women are simply better shooters than men. Now, I am using this idea to be facetious but there is a relevant point to deliver here: women have much to bring to the table from an operational perspective as well. One theory explains, **“that yes, women are better shooters, and [this] theory is that it’s because women listen to their instructors instead of trying to one-up them”** Tactically women have many qualities, especially those highlighted by this point, we are keen listeners and observationists.

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RETAINING EMPLOYEES IN THE AGE OF EARNED WAGE ACCESS

Jeff Davis, Team Software, CALSAGA
Network Partner



Let's set the stage: it's 2022. The labor market is still volatile. The number of unemployed persons per job opening is at a record low. We're hearing leaders in the industry express frustrations about meeting service demands while battling staffing shortages. Retention is (or should be) a key metric in the longevity of your hiring strategies.

Enter: the age of earned wage access.

Earned wage access programs are when employers give employees access to their earned wages, even if that request comes before a regular payday. This on-demand pay model is changing the payroll landscape, where alternatives could be pushing your employees to salary lenders (and the accompanying interest) when short-term cash flow needs arise. As an employer, you could be offering a similar source of cash flow and reap the benefit of increased officer retention.

Before we dive too deeply into the top, let me say this: early wage access programs shouldn't add processes (or associated costs) to your existing payroll procedures. Most financial wellness programs are built so all the extra work associated with getting your employees' earned wages to them early happens outside of your current processes.

How? Typically, an employee pays a small fee to access earned pay on demand.

If you're weighing the pros and cons of implementing an on-demand pay model into your business, consider these study-proven benefits:

1. Companies have seen reductions in turnover as high as 90%.
2. Companies experience decreases in hiring costs related to turnover (a number that has been reported to averaging at least \$4,000 per hire).
3. Companies have seen increased interest from job applicants. (Plus, consider this: as an early adopter to on-demand pay programs, your job postings have one more way of standing apart from the competition and their benefits packages.)
4. Employees have reported decreases in finance-related stress (improving employee experience and financial well-being, and productivity on the ops side of your business).

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