



September 25, 2018

MESSAGE FROM JERRY WALLACE CPSA BOARD CHAIR



Our members include California's swimming pool and spa builders, swimming pool and spa service companies, manufacturers and distributors, and other industry associations. Become a member of the CPSA today to help take on this unprecedented legal decision against small business! We have many membership options to fit your needs, with many different levels that scale to the size of your business.

As our *CPSA Alert* indicated last week, the recent California Supreme Court decision in the Dynamex case is poised to hit the swimming pool and spa industry hard! Our industry is slated to be near the top of impacted industries. Late last year, there was a coalition effort led by the California State Chamber of Commerce, which California Pool & Spa Association participated in, to delay implementation of the Court's decision for two years while the State Legislature sorted out industries to which this decision should apply. Unfortunately, the effort was unsuccessful. We were unable to overcome the big money unions and trial lawyers who benefit from this decision. However, the coalition is not giving up. We are gearing up to renew the fight in the 2019 Legislative Session. If we are to prevail, it is going to take a massive effort by all the affected industries.

The way this decision is written, it is practically impossible in our industry to have someone working for you who is not considered an employee. In fact, the Court's decision makes it a law in California that an employer/employee relationship is presumed, and it is up to the business entity to prove otherwise. This means a large increase in your labor costs!

For many years, stretching back to the days of SPEC and Don Burns, CPSA has been an active supporter of efforts to curb the underground economy and to try to maintain a level playing field for California businesses. This includes the necessity to properly classify workers as employees or independent contractors, as well as all of the other legalities being exploited in the underground economy. We continue to act in that same spirit. This decision is simply too broad and general and not good for our industry.

Our best effort to overcome this is by the members of the California pool and spa

industry working with and supporting this coalition as directed by the CPSA Board and Government Affairs Director. The California swimming pool and spa industry must come together and present a large and committed group. If you are not a member, JOIN NOW!! If you are a member, we thank you and ask you to consider making an additional contribution to fighting this bad labor law, if you can. It is times like these that our California swimming pool and spa industry must band together and raise our collective voices and fight for ourselves. This could be a business killer decision!

Please join now by clicking on this link www.thecpsa.org and help us fight back against this unfair decision!

WITH THANKS TO OUR SPONSORS



California Pool & Spa Association™ encourages happier and healthier living through water-based activity. Representing those who design, build, service, and supply pools and spas in California, CPSA ensures sustainability and profitability through education, promotion, and protection efforts. CPSA elevates members, their products, and their services and holds members to the highest standards of professional conduct in pool construction, service, and repair. Visit www.thecpsa.org to join and for more information.

California Pool & Spa Association is a proud member of The Pool Spa & Aquatics Alliance™.