

Capitol Connection Q&A for Contractors

Week of 2/12/2024

By Shauna Krause, President, Capitol Services, Inc.

If it's fixed it can also be 'brokered'. How can you cancel a license and still qualify another? You can also 'qualify' twice in the right circumstances and another contractor wants to keep the family in the business, maybe...

Q: I have a question. I am a Business Broker and one my client's has a CSLB license ("License A") which is no longer needed as he just sold his business. However, he is now Responsible Managing Officer (RMO) Qualifier for Seller ("License B"). May he cancel License A without affecting his ability to act as RMO for Seller (License B)?

A: Yes, he should be able to cancel License A without it affecting License B.

Q: I was reading where two companies can share a Qualifying Individual if the majority of the Officers/Members/Managers are the same between the two companies. We are going to request this option but the individual we are planning to use to Qualify both entities is an employee with no ownership, not an Officer. Do we need to give him an Officer title in order to be approved for this request?

A: An RME (Responsible Managing Employee) can qualify for two firm's licenses when the majority of the personnel listed on the license and CA SOS records are the same as long the individual can certify that he/she works at least 32 hours a week (or 80% of the companies' operating time) for both firm's licenses. Many times companies will opt for the Qualifying party to become an Officer due to the hour requirement for RME's. Either way, remember that the RME/RMO is responsible for exercising supervision and control of their employer's construction operations for both companies.

Q: I have a Sole Proprietorship license. Looking forward to someday retiring, can one of my sons automatically take over the business in the future or do they need to be working for me in order to take over? In the event they do not want to continue the business, will I be able to sell my license?

A: An immediate family member can request to have your license number transferred to them, however if they are looking to take advantage of the family waiver (of the exams), they would have had to of worked for you *for at least five years*. If they are not concerned about the waiver option, they can still request your license number and take the exams, but they *still need to have at least four years of experience* in the trade. If you are considering selling your business to someone other than a family member, you would

likely want to consider obtaining the license as a corporation or LLC. Holding the license as a corporation or LLC allows you to sell the business to family members OR the general public. You should probably contact a business broker or an attorney for more information on selling a business and the entity type best suited to your need.

While knowledge is power, knowing where to go for the answers is half the battle. Get expert assistance immediately when you call 866-443-0657, email info@cutredtape.com, or write us at Capitol Services, Inc., 3609 Bradshaw Rd, Ste H, #343, Sacramento, CA 95827. Search past columns at www.cutredtape.com

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INTRODUCTION

Chain hoists can either be hand operated or electric, but both are dangerous if employees are unfamiliar with the safety precautions involved. Depending on the chain hoist available, loads can range from a few hundred pounds to a few tons, so it is vital that employees use them properly to avoid disastrous situations.



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INSPECTIONS

Before operating a chain hoist, operators must inspect it for defects or other signs that the hoist is unfit for use. Examples of these may include:

- Bent or stretched chain links
- Broken ratchet teeth
- Bent hooks
- Any parts that are cracked or distorted in any way
- Broken or frayed wires, when using an electric chain hoist
- An out-of-service tag





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SAFE WORK PRACTICES

The only employees who are permitted to operate chain hoists are those who have been trained, authorized, and have a thorough understanding of chain hoist safety. Beyond that, the following safety precautions are required during use:

- Employees should know the weight of the intended load and be familiar with the maximum load capacity of the chain hoist being used.
 - The load must never be greater than the maximum capacity of the hoist.
 - A good sign that the load is too heavy (when using a hand-operated hoist) is if you feel like you need a cheater bar or a second person to help pull.
- Make sure that the hoist is attached to a structure that is strong enough to support the load in addition to any possible shock load.
- Chain hoists may only be operated in areas that permit you to stand clear of the load at all times.
- Never operate a chain hoist in a way that forces the chain to bend or slide around corners or other sharp edges that may damage the chain.
 - Load chains and cables are not to be used as substitutes for a sling.
- Never pull so forcefully on a hand-operated hoist that the load jerks, bounces, or swings.
 - These sudden motions create “shock load” which could cause the load to exceed the maximum capacity of the hoist, chain, or other components.
- All loads must be centered on the hoist before lifting to avoid swinging.
- Suspended loads must never be left unattended.
- Do not work, walk, or allow others to pass under a suspended load at any time.



CONCLUSION

Chain hoists make a lot of jobs possible that may not otherwise be possible, but unsafe use by employees can cause the job to become very dangerous. The only employees who should attempt to operate chain hoists are those who have been properly authorized and agree to the safety rules.

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Reception	Book	Page	Record Date	Document Type	APN
20240002031			2/6/24 8:47 am	205	
Grantor (1 record)				Grantee (1 record)	
HEDGPETH BRENT E				ALPENGLow CONSTR CO	
20240002135			2/6/24 1:14 pm	205	
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20240002138			2/6/24 1:24 pm	258	014150004
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OLIVER CHRISTOPHER S					
20240002184			2/7/24 1:40 pm	258	011171076
Grantor (1 record)			Grantee (0 records)		
BLYSHCHYK YURIY					
20240002215			2/8/24 10:03 am	258	0
Grantor (1 record)			Grantee (0 records)		
TAHOE TRUCKEE SANITATION AGENCY					
20240002297			2/8/24 1:12 pm	258	0
Grantor (2 records)			Grantee (0 records)		
STATE OF CALIFORNIA DEPARTMENT GENERAL SERVICES					
20240002348			2/9/24 1:05 pm	258	018840031
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