

Promotional Marketing Association of Northern California



PMANC

PROMOTIONAL MARKETING ASSOCIATION
of NORTHERN CALIFORNIA

MAY-JUNE 2011

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Oh What a Showcase!

By Darrell Fronczek

First I want to say congratulations to all of the volunteers on the PMANC Board and Showcase committee, for putting in the time and effort required to put on a marvelous show in Monterey, California. Without all their help this show would have never taken place!



We know it has been a few years since the Showcase was here in Monterey, CA but we will be calling this home to our PMANC showcase for the next few years. With the outstanding support from all of our supplier friends, you have made this show one of the best regional shows in the entire country and we would like to say thank you!

The Portola Hotel and staff also made our experience back to this locale an enjoyable one as well. From what we heard on the show floor, everyone agreed the move back to Monterey and the Monterey Conference Center was a very good move, indeed. We were successful because of the continuing support of our distributor members and we just want to say thank you again for making this show a huge success.

Also, we really want to say a heartfelt thank you to our Executive Director, MaryAnne Bobrow, and her staff for really putting their all into making this our show a major success!

As always we would love to hear all of our member's feedback regarding what you think would make our PMANC Showcase an even better experience for all. Please send all inquiries to info@pmanc.org.

Hope to see all of you in Monterey CA in May, 2012. Start planning now and bring the family with you to spend the weekend and celebrate Mother's Day in one of the most beautiful settings in the world!

To see all April 2011 Showcase photos, please take a moment to visit PMANC's Facebook Page, found at <http://www.facebook.com/#!/pages/Promotional-Marketing-Association-of-Northern-California/159544260772995>. We will continue to post photos on our Facebook page until our new website (coming soon!) is functional!

Thanks for being a member of PMANC!

President's Message

Jon Pierce, Specialty Marketing Group NW



It is exciting to reflect upon the recent Showcase in Monterey and realize the tremendous accomplishments for PMANC! The overwhelming sentiment from all sides was that of resounding success. We were able to exceed our projected Supplier and Booth projections, and exceed last year's Distributor attendance count. Professional Development with Dana Zezzo was very productive for all who attended. Particularly noteworthy is that now we are able to publish Showcase dates and plan our programs for five more years (shown elsewhere); and to confirm that the PMANC Showcase will be in the Monterey Conference Center and Portola Hotel & Spa throughout that period. We have by this one achievement placed PMANC on solid ground into the foreseeable future! MANY THANKS to all those volunteers and Executive team for all the efforts made to insure our success. We are not nearly finished, however. We have only just begun this journey.

With the exception of making some minor changes a couple years ago to adapt PMANC's structure to PPAI's Affiliate Program, our Bylaws have not received a significant revision for many years. During that time, much has changed in the regulatory environment, in the marketplace, and within PMANC's own function. So much has changed that it is virtually impossible to comply with all the provisions in our current structure. During these next few weeks we will undertake to study and revise them to more closely reflect our operational needs as we look toward the future we have envisioned for the Association. To address these issues, as this edition of Promotional Marketeer goes to press, I am appointing a Bylaws Committee, chaired by Immediate Past President Nina Davi, to review proposed changes and present them, in accordance with our current requirements, first to the Board of Directors and then the full Membership, for approval. Our goals will be to simplify the Bylaws themselves to reflect the legally required components; then to incorporate the operational elements of our work into a more readily adaptable set of guidelines. These guidelines will insure effective day-to-day operation; and are to be implemented and adapted by PMANC's current and future Boards of Directors.

In asking PMANC members to support and approve these changes at a meeting soon to be announced, our Association will be improved and much strengthened. We will be in position to take full advantage of the opportunities for growth, stability and continued success which are a powerful tradition within PMANC for many years to come, as illustrated by our locating and securing the Showcase in Monterey for the coming years.

Bylaws and Operating Guidelines may be boring, but the outcomes we envision for PMANC are that our most exciting days are yet to come! Make plans now to join with us as we undertake this journey. Watch your mail for the meeting announcement. We invite Member Principals to join in approving our course, by voting for a future that measures up to and exceeds PMANC's high standards for continually recreating a great Association for our Members.

PMANC

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of NORTHERN CALIFORNIA

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Government Relations News

Editor's Note: *Sincere thanks to Kara Long of Tugboat, Inc., and Tugboat's attorney, Marge Kemp-Williams for contributing to the accuracy and content of this article. Since the writing of this article, Tugboat has prevailed in the Napa Superior Court. While that victory is sweet, the battle is far from over.*

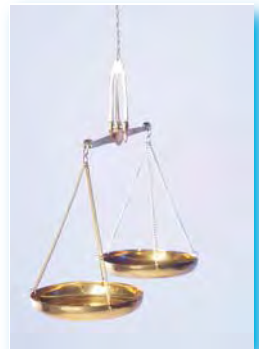
An ongoing issue exists on both the judicial and legislative fronts regarding the 'alteration of appearance' of garments and when the manufacturing of garments ends. The Garment Manufacturer's law has been in existence since the 1980s. The enforcement agency is the California Department of Industrial Relations' Division of Labor Standards Enforcement. Under the law, those deemed by the Labor Commissioner to be involved in the process of garment manufacturing (manufacturer or contractor) are required to pay a special, annual license (ranging from \$250-\$2,500), to post a \$5,000 bond, to pass an annual examination, to grant the Labor Board access to all tax records, and to pass 'character approval' by the Labor Commissioner. In 2008, the Labor Board expanded its interpretation of garment manufacturing to include embellishment or decoration as outside the alteration exemption and as an act of 'finishing' a garment and thus included in the definition of garment manufacturing.

To date, the Labor Commissioner has targeted numerous decorators and ad specialty companies that decorate apparel in-house for not having a garment manufacturing license, given an order to register, and fined \$100.00 per employee. In some instances, the actual garments have been confiscated (????) and the businesses shut down until the license has been granted (a process that can take up to three months). If a business does not challenge the citations it can face the actual garments being confiscated. In some instances while awaiting completion of the garment manufacturing registrations some businesses have been shut down (a process that can take up to three months).

The Judicial Environment

In March 2010, a company named Generations from Colusa, California, challenged their citation to the Superior Court, and won their appeal. The Colusa Superior Court judge found the Labor Board's interpretation of the law 'clearly erroneous' and their enforcement of the law 'absurd.' He opined the manufacturing process was completed when the garment was shipped ready-to-wear into the stream of commerce. He noted "a shirt is a shirt is a shirt" and decorating a shirt is no different than pinstripping a car.

The attorney who represented Generations is currently representing Tugboat, Inc., a PMANC member, and other companies who are likewise appealing to the superior courts in various counties of California. At this point the Labor Commissioner resists having the matters heard together. Therefore, each company must manage its own appeal to the County Court, but they will unite when appeal is possible.



Our industry is primarily comprised of small businesses. Court fees for the Court of Appeals case are estimated at \$25,000, which the individual superior court case fees range from \$8,000 to \$10,000. If you wish to contribute to this cause, a trust account has been set up. Contributions should be sent as follows:

- Make checks payable to "For the defense of unregulated embellishment of ready-to-wear clothes"
- Endorsement line should read "For deposit only in the Attorney Trust Account of Margaret Kemp-Williams"
- Send contributions to:
Marge Kemp-Williams
1120 – 10th Street
Colusa, CA 95932

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Government Relations News

The Legislative Environment

Section 2670, et seq. of the Labor Code delineates the 'police powers' of the state applicable to the employment of workers in the garment industry. In the current 2011-2012 Legislative Session, there is a bill, AB 302, which would, if passed and chaptered into law, effectively stop the Labor Board from its current enforcement actions. However, that law as presented is on hold pending the court struggles, because the members of the committee seek limitations on the size of the business accorded the alterations exemption.

The Bill:

AB 302 (as amended 4/27/11) – Introduced by Assembly Member Garrick, February 9, 2011

An act to amend Section 2671 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 302, as amended, Garrick. Garment manufacturing: ~~embroidering~~ **alteration of appearance.** Existing law regulates the **persons engaged in the business of garment manufacturing** industry and defines "garment manufacturing" to mean sewing, cutting, making, processing, repairing, finishing, assembling, or otherwise preparing any garment or any article of wearing apparel or accessories designed or intended to be worn by any individual for sale or resale by any person contracting to have those operations performed. Specifically, existing law requires every person engaged in the business of garment manufacturing to register with the Labor Commissioner. **Existing law provides that certain persons, including persons who engage solely in that part of the business engaged solely in cleaning, alteration, or tailoring, are not subject to those regulations.**

This bill would specify that ~~embroidering done by a small business, as defined, is not included within the definition of garment manufacturing~~ **provide that persons who engage solely in the alteration, by any means or method, of the appearance of garments previously shipped by a garment manufacturer as ready-to-wear apparel are also not subject to the regulations pertaining to garment manufacturing.**

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 2671 of the Labor Code is amended to read:

2671. As used in this part:

(a) "Person" means any individual, partnership, corporation, limited liability company, or association, and includes, but is not limited to, employers, manufacturers, jobbers, wholesalers, contractors, subcontractors, and any other person or entity engaged in the business of garment manufacturing. "Person" does not include any person who manufactures garments by himself or herself, without the assistance of a contractor, employee, or others; ~~any person who engages solely in that part of the business engaged solely in cleaning, alteration, or tailoring;~~ **any person who engages solely in the alteration, by any means or method, of the appearance of garments previously shipped by a garment manufacturer as ready-to-wear apparel;** any person who engages in the activities herein regulated as an employee with wages as his or her sole compensation; or any person as provided by a regulation.

(Continued on Page 5)

Government Relations News

(b) (1) "Garment manufacturing" means sewing, cutting, making, processing, repairing, finishing, assembling, or otherwise preparing any garment or any article of wearing apparel or accessories designed or intended to be worn by any individual, including, but not limited to, clothing, hats, gloves, handbags, hosiery, ties, scarfs, and belts, for sale or resale by any person or any persons contracting to have those operations performed and other operations and practices in the apparel industry as may be identified in regulations of the Department of Industrial Relations consistent with the purposes of this part.

~~(2) (A) "Garment manufacturing" does not include embroidering done by a small business.~~

~~— (B) For purposes of this paragraph, the following definitions apply:~~

~~— (i) "Embroidering" means using an electronic program that directs embroidery equipment to reproduce a design on finished, ready to wear apparel.~~

~~— (ii) "Small business" means a business that employs 10 or fewer people.~~

[PMANC note: read (3) as a continuation of (b)(1) above]

~~(3)~~ The part. The Department of Industrial Relations shall adopt, and may from time to time amend, regulations to clarify and refine the definition of garment manufacturing in this subdivision to be consistent with current and future industry practices, but the regulations shall not limit the scope of garment manufacturing, as defined in this subdivision.

(c) "Commissioner" means the Labor Commissioner.

(d) "Contractor" means any person who, with the assistance of employees or others, is primarily engaged in sewing, cutting, making, processing, repairing, finishing, assembling, or otherwise preparing any garment or any article of wearing apparel or accessories designed or intended to be worn by any individual, including, but not limited to, clothing, hats, gloves, handbags, hosiery, ties, scarfs, and belts, for another person. "Contractor" includes a subcontractor that is primarily engaged in those operations.



Status of AB 302:

The bill currently sits in the Assembly Labor and Employee Committee. On May 4, 2011, the committee failed to re-refer the bill to the Committee on Appropriations – a key step in passage of the bill. Two members of the committee (Morrell, Furutani) were in favor of passage; Swanson, Alejo, Allen, and Yamada voted “no,” and Gorell was absent (deployed to Afghanistan on March 18, 2011).

Whom To Contact?

This issue obviously affects a number of PMANC members and legislators needs to hear your thoughts.

(Continued on Page 6)

Government Relations News

Assembly Labor and Employment

1020 N St #155

Sacramento, CA 95814

Phone: (916) 319-2091

Website: <http://www.assembly.ca.gov/acs/newcomframeset.asp?committee=16>

The Committee is comprised of five Democrats and two Republicans, one of whom is on deployment in the Middle East.

Committee Members, Their District, Phone, and E-mail

Sandré R. Swanson, Chair (Dem-16) (916) 319-2016, Assemblymember.Swanson@assembly.ca.gov

Mike Morrell, Vice Chair (Rep-63) (916) 319-2063, Assemblymember.Morrell@assembly.ca.gov

Luis A. Alejo (Dem-28) (916) 319-2028, Assemblymember.Alejo@assembly.ca.gov

Michael Allen (Dem-7) (916) 319-2007, Assemblymember.Allen@assembly.ca.gov

Warren T. Furutani (Dem-55) (916) 319-2055, Assemblymember.Furutani@assembly.ca.gov

Jeff Gorell (Rep-37) (916) 319-2037, Assemblymember.Gorell@assembly.ca.gov

Mariko Yamada (Dem-8) (916) 319-2008, Assemblymember.Yamada@assembly.ca.gov

How to write a letter:

- Spelling and title count! For instance, Sandré R. Swanson, Chair, Assembly Labor and Employment Committee or Michael Allen, Member, Assembly Labor and Employee Committee is the proper way to address each of these people.
- Don't forget to include your last name and your address.
- **Don't use form letters or petitions.** They do not carry as much impact as a letter in your own words.
- The time to write your letter is NOW, while the bill is still in committee.
- Address the concerns you have and why you support/oppose the bill. Be sure to identify the bill by its number, AB 302, 2011-2012 Legislative Session.
- Include how the issue will affect you, your business, or profession.
- Contact PMANC if you need help with your letter



Closing Thoughts

Success at the Court of Appeals level and/or success in the passage of AB 302 achieve the same purpose – halt the current enforcement actions of the Labor Board and prohibit them from engaging in additional, similar actions. You can help in contributing to help defray the legal costs of the court of appeal action and/or writing to the Assembly Labor and Employment Committee to express your views. Please be sure to include your own legislator in any letter you write. To find your State Legislators, go to http://www.legislature.ca.gov/legislators_and_districts/legislators/your_legislator.html and click on the link to find your legislators by entering your zip code. Be a part of the solution!

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2011-2165 TC 5/11

Cooking with Carson

By Doug Carson

STUFFED RADICCHIO ROLLS WITH PANCETTA

When I was a young man, I didn't appreciate the complex flavors of Radicchio. My Italian family used it in summer salads with spring onions fresh from the garden and shavings of fresh Anise. But it wasn't until I started experimenting with flavors, that I really started to enjoy Radicchio. The Bulb Style is the most readily available but look for Treviso a leafy style and perfect for this recipe.



REDUCTION, this is the key technique in creating intense flavor sauces and is used to create the finishing touch to this recipe. It is the crowning ingredient and allows all the flavors to explode. I hope you enjoy this recipe as an appetizer or first course this summer. I

know I will and it will bring back memories of the summers that I toiled in my Nona's vegetable garden.

Boun Apetito!

INGREDIENTS:

- 1 Large Head of Radicchio
- 8 oz. of Ricotta Cheese
- 4 oz. of Chevre Cheese
- 8 Slices of Pancetta
- ½ cup balsamic Vinegar, reduced
- ¼ tsp. Celery seasoning
- Salt & Pepper to taste – go light on the salt because of the cheese and reduced vinegar



PREPARATION:

Heat vinegar and slowly reduce it by half until a syrupy liquid, keep warm and set aside. Blend cheeses with the seasonings; set aside. Remove white core from Radicchio Leaves while keeping the leaves whole. Stuff each leaf with a tablespoon of cheese mixture. Gently roll up the leaf and use a second leaf to completely enclose the cheese. Unravel the pancetta and place one end of the strip of Pancetta on the end of a Radicchio roll and secure with a toothpick. Gently wrap the roll with the Pancetta and secure the other end with a toothpick. Brush the roll with olive oil. Grill the rolls over medium heat until the Radicchio is wilted.

When done, place the rolls on a serving platter and remove the toothpicks. Pour approximately 1 tablespoon of reduced vinegar over the rolls and serve.

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Thank You, Showcase Sponsors!



Thanks to PPAI for its Showcase sponsorship. PPAI consistently supports the Regional Associations through efforts like this and partners in many other ways for the success of the members we serve. PMANC sincerely appreciates what you do!

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Chameleon Like, Inc.

Pierre Martichoux

Specialty Marketing Group NW

Jon Pierce

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Presentation Folder, Inc. (Presentation Folders)

Showdown Displays (PMANC logo tablecloth)

Friday, July 15, 2011

**Shotgun Start: 1:00 PM
Check-in: 11:30 AM—12:30 PM**

**\$80.00 per player *
* Includes green fee and cart**

Fun! Prizes! Contests!



**Save the Date!
Registration available soon at
www.pmanc.org**

**Sponsorship opportunities
available. Contact John Oda
john@onyxworldwide.com**





PMANC Summer Scramble Drive for Show, Putt for Dough!

It's all about how you perform on the greens if you want to score low in the Summer Scramble.

The third annual PMANC Summer Scramble golf tournament is scheduled for Friday, July 15, 2011 at the Dublin Ranch Golf Course.

The Dublin Ranch Golf Course is a Robert Trent Jones, Jr. designed course centrally located in the rolling foothills of Dublin. There are panoramic views of the Livermore Valley and Mt. Diablo from almost every hole on the course. With eleven par three's, five par four's and two par five's, and our scramble format, the course is a lot of fun for all skill levels of golfers.

Note to suppliers, when was the last time that you could spend five uninterrupted hours, one-on-one with your favorite distributor? Here's your chance. Invite them to join you to play golf with you at the tournament! And suppliers should also check out the sponsorship opportunities that are available to promote your brands.

The cost is \$80.00 per player. To register, complete the registration form included in this newsletter or visit www.pmanc.org.

Place: Dublin Ranch Golf Course, 5900 Signal Hill Drive, Dublin, CA 94568
Check-in Time: 11:30 AM – 12:30 PM
Shotgun start: 1:00 PM

Post tournament reception with awards ceremony immediately after the completion of golf.

Rules for Scramble Format

1. HAVE FUN!
2. FOUR PLAYER SCRAMBLE: Team members will all tee off. The team chooses the shot they prefer to use. The team then plays their next shot from within one club length of that position, no closer to the hole, with no improvement of lie.
 - a. Players must play their next shot from the same cut of grass that the play ball came to rest in. Even if the ball is close to the fairway but in the rough, the next shot must be played from the rough.
 - b. If the ball rests in a hazard, all must play out of the hazard.
 - c. On the putting surface, all balls must be played within six inches of the ball's position, no closer to the hole.
 - d. Each player must contribute two drives.
3. THREESOMES: If during a four-man scramble your team is a threesome, each player will take turns hitting two balls per hole. For example, on hole #1, player A hits two balls the entire hole. On hole #2, player B hits two balls. On hole #3, player C hits two balls. On hole #4, player A hits two balls and you repeat the cycle. Each player must contribute three drives.
4. CLOSEST TO THE HOLE AWARDS: The ball must be resting on the putting surface to be considered. Only the first shot on the hole by each player will be considered for an award. The ball eligible for an award need not be used by the team as their team ball.
5. At the end of the round, turn your scorecard in to John Oda.

2011 PMANC Summer Scramble Player Registration Form

- Yes, I wish to play in the 2011 PMANC Summer Scramble. I am paying for ____ golfers.
- Pair me with somebody FUN!
- I wish to be paired with:

NO REFUNDS



Golfer One

First Name: _____ Last Name: _____
 Company: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____
 Handicap: _____

Golfer Two

First Name: _____ Last Name: _____
 Company: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____
 Handicap: _____

Golfer Three

First Name: _____ Last Name: _____
 Company: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____
 Handicap: _____

Golfer Four

First Name: _____ Last Name: _____
 Company: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____
 Handicap: _____

 ____ Players @ \$80.00 each = \$ _____ Enclosed

Payment Information:

-  American Express
  MasterCard
  VISA
 Check # _____ payable to PMANC)

Card Number: _____

Cardholder Name: _____

Expiration Date: _____ CVVSCode: _____

Billing Address is the address at which you receive your statement.

Billing Address: _____

City/State/Postal Code: _____

Signature: _____

Promotional Marketing Association of Northern California

6060 Sunrise Vista Drive, Suite 1300, Citrus Heights, CA 95610

(916) 242-0052 (Phone) 877-500-3752 (Fax) Email: info@pmanc.org Website: www.pmanc.org

2011 PMANC Summer Scramble Sponsorship Form

Be a sponsor for PMANC's Third Annual Summer Scramble!

We anticipate 60 to 72 players (suppliers and distributors) to join us for an afternoon of fun, networking, and, of course, **GOLF!**

NO REFUNDS



PMANC has several outstanding ways you can support PMANC and promote your company at the golf tournament!

- After Tournament Reception Sponsor—\$500.00**
Sponsorship of the after-tournament reception
Logo on tournament banner at check in
Recognition in tournament program
Recognition during awards ceremonies

- Closest to the Pin Contest: \$100.00**
Tee sign at the tee box
Recognition in the tournament program
Recognition during awards ceremony

- Tee Sign: \$50.00**
Your company logo on a tee sign (No more than two tee signs per tee box)
Recognition in the tournament program

- Awards: Donate four awards to be given to the winning team**
Recognition in the tournament program
Recognition during awards ceremony

- Raffle Prize: Minimum value of \$25.00**
Recognition in the tournament program




- Golfers Tee Prizes: 72 pieces**
Donate product to be included in every golfers gift bag
Logo on the tournament banner at check in
Recognition in the program

- Sponsor a Distributor—\$80.00 per player**
You can also support PMANC and have some fun by inviting a distributor to play golf with you at the tournament. What better way to spend uninterrupted one-on-one time with your favorite distributor?



Payment Information:

Please charge my credit card for the items checked above. The authorized amount to charge for all items is \$_____.

-  American Express  MasterCard  VISA Check # _____ payable to PMANC)

Card Number: _____

Cardholder Name: _____

Expiration Date: _____ CVVSCode: _____

Billing Address is the address at which you receive your statement.

Billing Address: _____

City/State/Postal Code: _____

Signature: _____

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