

# Liberty working to remove hazardous trees

With an increase in the number of dead and dying trees in the Lake Tahoe region, Liberty Utilities has tripled the number of inspectors to identify trees that pose a risk to the utility's infrastructure. The inspection program and subsequent removal of hazardous trees are designed to reduce the risk of power outages, potential wildfires, and to comply with State regulations.

Liberty Utilities has been authorized by the California Public Utilities Commission to spend up to \$2.5 million each year on vegetation management programs in order to maintain the CPUC requirement to keep trees, branches and other vegetation surrounding utility infrastructure trimmed back to reduce outage risks. Liberty Utilities has increased its efforts this summer to go above and beyond its annual vegetation management program.

Tree inspectors are working along the 57-mile length of the utility's power line that serves the Tahoe City area. As high-risk trees are identified, another contractor will remove the hazards.

Any tree on private property that must be removed remains the property of the landowner. Liberty Utilities' contract crews will remove the tree limbs and dispose of them, but the tree log itself belongs to the property owner.

Crews will continue their work in the Tahoe City area throughout June and will continue working along the West Shore and other parts of the service territory affected by tree mortality as long as necessary.

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# **Douglas County on path to revamp VHR ordinance**

There will be a series of meetings in Douglas County starting June 18 about vacation home rentals.

The county is proposing making changes to the ordinance. Today the short-term rentals are only allowed at the lake. A copy of the draft ordinance is available **online**.

Proposed changes include allowing VHRs in the valley, creating better enforcement, increasing the permit fee, mandating bear boxes, limiting occupancy, changing parking requirements, and hiring Host Compliance.

A workshop will be conducted June 18, 5-8pm at Harrah's Lake Tahoe in the Sand Harbor III room.

The Planning Commission will address the topic July 10 at 9am at the CVIC Hall in Minden. At the same location on Aug. 2 at 10am the Board of Commissioners will discuss VHRS. Commissioners will also meet on Aug. 16 at 1:30pm at Harrah's, and again on Sept. 6 at 10am in Minden.

*– Lake Tahoe News staff report*

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# **Increasing number in Calif.**

# Looking to move

By Liz Kreutz, ABC-10

While many people can't imagine themselves living anyway other than the Golden State, research shows an increasing number of Californians may be looking to move away.

According to studies done by real estate sites Realtor.com and Redfin.com, the housing crisis in California is driving people to search for homes outside the state.

So where are people looking? Realtor.com says most people are searching in Phoenix, Las Vegas and Prescott, Ariz. Redfin.com also say many people searching in Seattle.

**Read the whole story**

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# Cheating workers out of wages is easier than ever

By Elizabeth C. Tippet, The Conversation

Jara Neal Willis, a nurse at a hospital in Texas, usually clocked in a few minutes before the start of her shift and stayed late whenever her patients needed help. Her lunch breaks were often cut short by requests from doctors, patients or their families.

Willis and her colleagues, however, claimed they were not paid for those extra few minutes worked before and after their shifts. Or for working during lunch breaks.

It wasn't because of mischievous gremlins falsifying their time cards in a backroom, but settings in the software the hospital used to track comings and goings. Two features alone, "rounding" and "automatic break deductions," could result in the loss of up to 44 minutes a day – or \$1,382 a year at the federal minimum wage.

Timekeeping software was the focus of a study I co-authored last year documenting how it could be used to facilitate wage theft.

But it left a lingering question: Did companies actually use these features to shortchange workers? Based on my review of hundreds of lawsuits like Willis', the answer is yes – and it's just the tip of the iceberg.

### **Wage theft gets a tech upgrade**

"Wage theft" is a shorthand term that refers to situations in which someone isn't paid for the work. In its simplest form, it might consist of a manager instructing employees to work off the clock. Or a company refusing to pay for overtime hours.

A report from the Economic Policy Institute estimated that employees lose \$15 billion to wage theft every year, more than all of the property crime in the United States put together.

That report, however, focused on workers being paid less than the federal or state minimum wage. Our 2017 study, which was based on promotional materials, employer policies and YouTube videos, suggested that companies can now use software to avoid paying all sorts of hourly workers.

### **Hundreds and hundreds**

When an employee clocks in for the day – using a computer login, ID badge or phone – that employee's time log becomes a form of data.

I wanted to know if there was any evidence that employers have ever used rounding and automatic break deductions to change that data, to their workers' detriment. So I did what law professors normally do in such situations: I ran a search of legal opinions to see if there were any cases in which workers sought to reclaim wages lost through digital wage theft.

Before our study, I hadn't even heard of this practice, so I expected to find only a handful of cases. Instead, I found hundreds and hundreds of legal opinions involving digital wage theft. And this suggests there are hundreds more because, typically, for every case that results in a legal opinion many more do not.

I decided to read a bunch to get a flavor for what employees were claiming and a window into how employers were using the software. I eventually stopped after wading through more than 300 cases, which are described in a study published in the American Business Law Journal.

The study's methodology does not support quantitative inferences about how often digital wage theft occurs or how much money U.S. workers have lost to these practices over time.

But what I can say is that this is not a theoretical problem. Real workers have lost real money to these practices.

### **Rounding away**

Rounding – the functionality used to nickel and dime workers like Jara Willis – is a convenient way for companies to consistently reclaim employee hours.

Even though the software can precisely record the time an employee clocks in and out, the “rounding” functionality changes that time according to a preset increment. Companies argue they use it to increase payroll predictability.

The preferred rounding increment in the cases I reviewed appeared to be to the quarter hour. So arriving to work at 8:53am would be rounded to 9, while 8:52 would become 8:45.

In theory, employees could even the odds when it comes to rounding by carefully timing their arrivals and departures. They could show up late or leave early, or punch in extra early or leave extra late.

But companies have two extra weapons to corral employee punches to work in their favor: policies and discipline. Yes, you could show up late or leave early, but then you'd be flagged for discipline under the attendance policy.

Sometimes employers in these cases further stacked the deck by prohibiting workers from punching in more than seven minutes early. Others actually "invited" employees to punch in up to seven minutes early, labeling it a "grace period," as though it were an accommodation to workers.

Willis' hospital, however, took a highly unusual approach to persuading workers to clock in during periods that favored the hospital. According to testimony from that case, supervisors labeled any employee who clocked in too early or out too late, thereby gaining minutes under the rounding system, a "moocher."

One manager even posted "no mooching" signs with a picture of a cow and a time clock in the hospital hallway.

### **Working the odds**

Rounding works the odds, sort of like a casino. And in fact, some of the cases I reviewed actually involved casino workers, perhaps because they are especially attuned to statistics and realize they're on the wrong side of the equation.

In one case brought by casino workers, the plaintiff's expert estimated that the 2,100 employees who opted into the lawsuit

lost 87,710 hours over a five-year period, or roughly \$950,000 at their \$10.80 average hourly rate.

But the company's rounding policy actually covered 28,000 employees. If those workers were similarly affected by the policy, that would have meant a loss of about 1.17 million hours, or \$12.6 million in wages the company was able to reclaim through the rounding policy over five years.

The case settled for \$450,000, about half of which went to attorneys' fees. In other words, even though this particular company was caught, dragged through litigation and forced to settle, it still would have made a hefty profit from its rounding policy. That's not exactly a deterrent.

### **Unpaid breaks**

Employers also reclaim time through what is known as "automatic break deductions." The software assumes that you took your full meal break, even if you didn't.

In some workplaces, taking a lunch break can be difficult, especially for those providing patient care in hospitals and nursing homes. Studies of nurses suggest that they are completely unable to take breaks in about 10 percent of shifts and aren't relieved of duty for meals and breaks in about 40 percent.

In the cases I reviewed, companies didn't make it easy for workers to override the break deduction. Employees complained that they didn't have authorization to do so and instead had to fill out an extra paper form. Or ask their supervisor for approval. Or both.

Companies even discouraged workers from doing so. A nurse received an "action plan" from her hospital after requesting too many break overrides. Rather than fixing the staffing problems that led to the missed breaks, the hospital recommended that she "keep snacks in her office."

## **Outdated legal rules**

So how did this problem come about in the first place?

These types of employer abuses are made possible by half-century-old rules that permitted rounding because at the time companies had to calculate hours by hand.

The outdated regulations assume that rounding will “average out” in the long term, essentially forcing workers to prove that they don’t – as in the cases I reviewed.

That leaves employers free to use rounding because it’s theoretically possible that it all might average out. And because collective litigation to recover lost wages requires affected workers to “opt in” to a class action suit, only a small fraction of workers ever get their money back.

What’s more, the outdated regulations don’t even mention automatic break deductions. That leaves courts struggling to figure out what’s fair in cases where there often isn’t even an electronic record of the missed break.

This problem is not going away. As long as these regulatory loopholes exist, employers and software makers will find ways to exploit them. That means if you’re paid an hourly wage, you may very well be losing out.

*Elizabeth C. Tippet is an associate professor at the school of law at University of Oregon.*

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## **NV Energy seeks to partner**



# with 6 solar firms

By Ken Ritter, AP

LAS VEGAS – Nevada’s main electric utility said Thursday that if voters reject a statewide energy choice constitutional amendment in November, it plans to partner with six solar power development firms to buy enough power from projects to be built around the state to supply more than 600,000 homes,

NV Energy announced it would submit to the state Public Utilities Commission on Friday an energy resource plan to have projects on an Indian reservation near Las Vegas, two southwest of Boulder City, two in Washoe County and one near Battle Mountain serving customers by 2022, according to a company statement.

[Read the whole story](#)

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# Climate change may lead to bigger atmospheric rivers

By Esprit Smith, NASA’s Jet Propulsion Laboratory

A NASA-led study shows that climate change is likely to intensify extreme weather events known as atmospheric rivers across most of the globe by the end of this century, while slightly reducing their number.

The new study projects atmospheric rivers will be significantly longer and wider than the ones we observe today, leading to more frequent atmospheric river conditions in affected areas.

The results also show that the frequency of the most intense atmospheric river storms is projected to nearly double.

[Read the whole story](#)

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## **200 Northern Nevada cows missing in a year**

**By Scott Sonner, AP**

Sheriff's deputies and state agriculture officials are investigating the disappearance of as many as 200 cows in Northern Nevada over the past year that may have been stolen by modern-day cattle rustlers across rangeland covering hundreds of square miles.

Investigators haven't uncovered any proof that thieves took the animals, but authorities in Humboldt County say it would be an uncommonly large number of animals to have died on the range over the winter.

Fifty cows or calves were reported missing in late March and early April.

[Read the whole story](#)

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## **Tahoe Keys targeting boats to**

# stop AIS spread



A sign in the Tahoe Keys asks boaters to stop and reverse their motors to dislodge weeds on props. Photo/Kathryn Reed

**By Kathryn Reed**

Tahoe Keys has set up a high-tech boat wash of sorts in order to prevent more invasive weeds from reaching the heart of Lake Tahoe.

Beginning next week the bubble curtain is expected to be fully operational. This device complements the boat backup station that was implemented two years ago. Sea bins will be added

later in the summer as a way to more instantaneously pick up the fragments. Those components are on back order.

Together the goal is to keep the Eurasian milfoil and curlyleaf pondweed in the canals. More than 90 percent of the Tahoe Keys' 172-acre lagoons are riddled with these invasive species. The Keys is blamed for being the source location for the weeds that have turned up in Lake Tahoe proper. That is why the goal is to stop the spread where it starts.

Skimmers will be used to pick up the fragments the boats discard and then they'll be removed from the waterway.



Greg Hoover with the TKPOA has his hands full with myriad AIS issues. Photo/Kathryn Reed

New this year are larger signs so boaters will be able to better read what they are supposed to do.

The goal is to have boaters stop, then reverse the direction of the prop. That action loosens and in large part dislodges the weeds that have taken hold.

The drawback to this is that as a homeowners association employees cannot mandate boaters do the backup maneuver. They are working on that. Staff, however, is out there at different busy times talking to people about why it is a good idea to do this and are educating people about aquatic invasive species. They have literature to hand to people to drill home the message.

Once boaters do the prop shimmy they will drive through the bubbles near the mouth of the channel.

“The bubbles should strip off all the weeds that are still attached,” Greg Hoover who manages aquatic invasive species for the Tahoe Keys Homeowners Association told *Lake Tahoe News*. “We will create a monitoring plan to see how successful we are.”

The bubbles are also expected to create a barrier to prevent weeds from reaching the lake. Boats are the No. 1 way AIS spread from one location to another.

This is the first time the bubbles have been used at Lake Tahoe. At their lowest output the pressure is about 0.5 cubic feet per minute. These types of devices have been used to deflect gas and oil spills from sensitive areas.



The harvester is like a lawn mower on water. Photo/Kathryn Reed

Regulatory agencies have studied the potential effect on fish and don't believe it will be a concern.

TKPOA was just waiting on the final sign off from the city to be able to operate the electricity for the bubbles on a 24/7 basis. The apparatus cost about \$30,000, with homeowners footing the bulk of the bill and the League to Save Lake Tahoe coming up with about one-sixth.

To create the backup station with signs and designating clear routes for boaters was another \$12,000.

Once the sea bins are installed it will be the first time anywhere in the world that they will be used with the bubbles. They will go in three locations acting as a suction that will trap the weed fragments. Then they will be manually drained.

All of this is on the west channel of the South Lake Tahoe neighborhood. The property owners association has control of this area, whereas the marina owners are responsible for the bulk of the waterway near the boat launch.

While all of these devices are designed to keep the weeds in the lagoons, they do nothing to actually get rid of the plants not attached to a moving vessel. The use of herbicide is still very much on the table. It is in the hands of the Lahontan Regional Water Quality Control Board and Tahoe Regional Planning Agency.

Until a decision is made there is still the harvester that essentially mows the weeds.

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## **Charter yanking KCRA after election**

**Charter-Spectrum** has agreed to keep KCRA-TV as an option for South Shore subscribers through June 8.

The four-day extension is so viewers will be able to get coverage of the California primary.

Local politicians have been trying to get the cable company to rethink their policy. The company so far is sticking to its business plan.

It all comes down to money. South Shore residents shops more in the Carson City-Reno area than in Sacramento. That's why the news in a week will all come from Nevada and not California even though some of those viewers live in California.

*– Lake Tahoe News staff report*

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# Tired driver wakes up in Lake Tahoe



The driver survived plunging into Lake Tahoe. Photo/CHP

**By KCRA-TV**

Officials are warning drivers to slow down and not to drive tired after sharing a photo Thursday of a truck adrift in Lake Tahoe.

The driver, who was tired at the time, almost hit another driver before crashing into the lake, the Placer County Sheriff's Office said.

**Read the whole story**