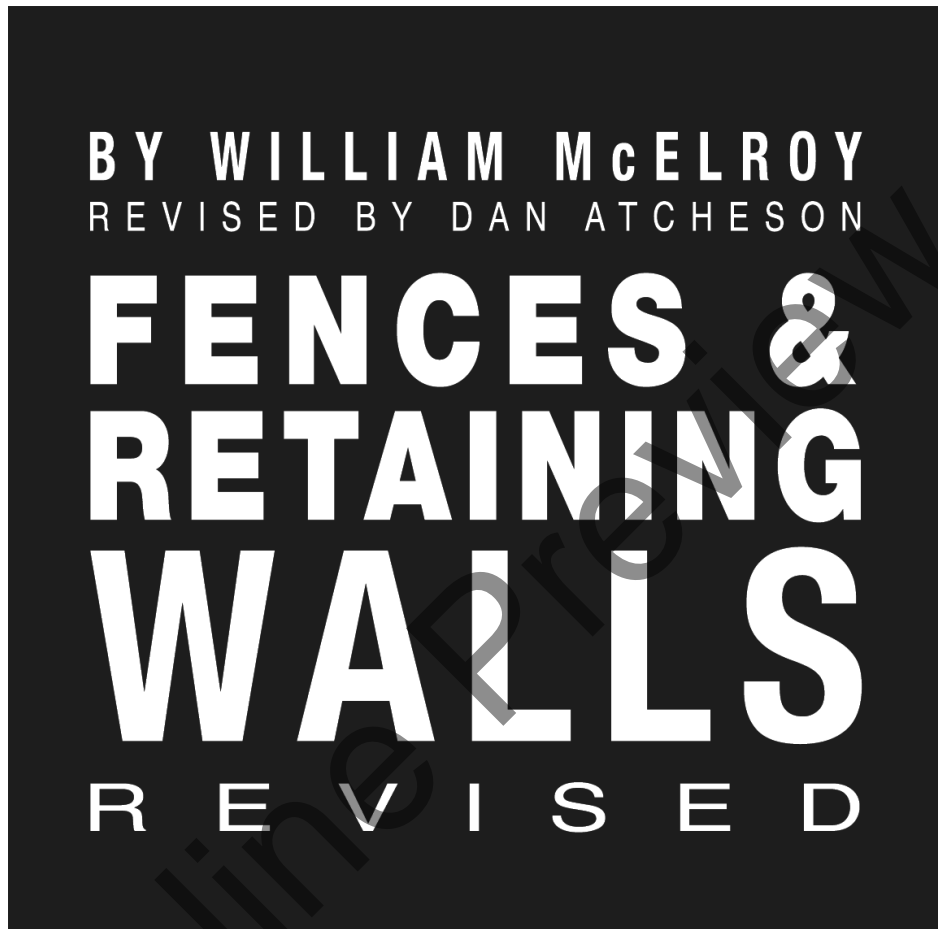


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Dedication:

*This book is dedicated to all who help with,
or offer homes to, orphaned pets.*

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Chapter 1

Fence & Wall Specialties

IT'S HARD TO IMAGINE a world without fences. We need them to keep some things in and other things out ... things *and* people. We need them to preserve our privacy. A world without fences? Not likely. And that's why fence building is good business for construction contractors. Nearly every significant new construction project includes fences and walls. So if you're qualified to build fences and retaining walls, there will be work to bid on for nearly every job. That can help build a nice extra profit into every project you handle.

This book is intended to be useful for a wide audience. Maybe you're already a licensed contractor. Maybe you're working in the trade on the payroll of a contractor. Maybe you're building your first fence. Or maybe you're a student who wants to learn fence and wall building. In any case, this manual has the information you need. You'll learn about all kinds of fences, gates, retaining walls, sea walls, and railings. We'll cover the most familiar types and styles of fences and walls, and several unusual types. I'll describe all the common construction methods and dozens of materials. You'll see what kind of equipment you need to build each type of fence. And I've included a section on estimating costs and manhours.

Established contractors will learn the fine points of fence building — including suggestions on dealing with customers, employees, building inspectors and the IRS. After reading this book, you'll probably want to pass it along to a friend, apprentice, or new employee.

If you're new to fence building and estimating, you should have no trouble following my explanations. I'll take it step by step and include plenty of photos along the way. That should make it easier to learn the essentials.

For the homeowner who's building a fence for the first time, I've provided simplified designs and construction techniques. The chapter on troubleshooting and repairs can help you avoid mistakes others have made. You'll also learn to repair and maintain existing fences and walls. I've included a glossary of terms, so when you talk to suppliers and contractors, you'll be speaking their language.

If you're an apprentice studying for your license, this book is for you. I wrote it with the California C-13 Fence Contractor's license exam in mind. Between the covers of this manual you'll find answers to nearly all the questions on the exam. The business chapters will help you set up your own contracting business and keep you from making expensive mistakes. The contractor's math chapter will teach you simple techniques for approaching math problems that you're sure to face on the job.

Teachers can use this book as a course manual. It covers everything from setting up a business and selling and preparing legal contracts to estimating and building fences and walls. Throughout this book, I've tried to use plain, conversational English that's easy for students to follow. And all readers will benefit from the chapter on safety.

Now that you know where I'm heading, I'll start from the beginning.

The History of Fences

The first true fences were probably barriers to keep domesticated animals in place. Early tribes were nomadic hunters who traveled from place to place; fences didn't have to be any more than temporary. As time passed, people learned to grow crops and domesticate animals. At that point, they needed more permanent ways to mark off their fields and corral their livestock. They made fences from stones or trees cleared from their planting fields. They made corrals by suspending vines and ropes between logs and trees — the predecessor of the barbed wire fence.

"As time passed, people learned to grow crops and domesticate animals. At that point, they needed more permanent ways to mark off their fields and corral their livestock."

Early fences were also used for protection. Stone piles or logs could protect possessions and families from theft and attacks. Stones were laid in horizontal courses and held in place with mud. The first mortar was dried mud or earth. Even in those early days, fence building must have become a skill to be learned and passed down from generation to generation.

In the 1800s, we learned to draw heated metal through a small hole, turning it into wire. That's a fine material to fence in animals and fence out trespassers.

In parts of the world where trees and rocks weren't readily available, people had to make fences out of soil. Ordinary dirt mixed with water could be molded into a building block; but dried blocks of dirt eroded easily in the rain. On the other hand, clay from river banks and ponds held up better when wet, so it was used to make durable adobe block. Eventually, someone discovered that heating clay fire-hardened and waterproofed the blocks.

People are very adaptable. In their search for homes near food, entertainment, work and riches, they sometimes built homes on the edges of mountains, oceans, and rivers. But nature is unpredictable. Mountains erode, oceans rise, and rivers flood. That's where retaining walls, sea walls, and dikes entered the picture. Concrete made all that possible. Mix cement with sand, gravel and water; then form and cure the mix to hold back that mountain, ocean, or river.

Even though people are independent by nature, they need each other. They formed groups that developed into towns and cities. As people moved closer together, the urge to maintain privacy increased. An industry matured and prospered — the fence-building industry.

Modern Wall and Fence Building

To compete effectively as a fence and wall builder, you need a wholesale materials supplier who will sell to you at a discount. You also need a vehicle and certain tools. And you need to know how to construct sound fences and walls in a legal manner, and how to make money doing it. That's what this manual is going to teach you.

Let's begin with a discussion of the various types of fence contracting specialties and the equipment you'll need for each.

Block Walls

Block walls are common in the southwestern United States because the materials are readily available in that locale. The principal materials include adobe or concrete blocks, steel reinforcing bars (rebar), mortar and lumber. Figure 1-1 shows a typical block wall in a residential development.

Here's a list of the tools and equipment you'll need to get started in block wall construction:

- ¾- to 1-ton truck
- motor-driven concrete mixer
- mason's hammer for cutting block



Figure 1-1
Concrete masonry unit (CMU) privacy wall

- circular saw for cutting forming lumber
- trowels for spreading mortar
- masonry saw
- rebar cutter
- rebar bending machine
- crowbar
- transit for laying out wall (optional)
- sledge hammer
- claw hammer
- chalkline
- cord and line blocks
- mortarboard
- assortment of screwdrivers and wrenches
- levels, 18 inch and 6 foot
- wire cutters to tie rebar
- drill and assortment of masonry bits
- protective clothing and glasses
- scaffolding (for walls over 6 feet high)



Courtesy of Don Bundock

Figure 1-2
Concrete panels that replicate natural stone

This list assumes that your supplier will deliver materials to the jobsite and will provide a forklift. I'm also assuming that you'll subcontract the trenching work to someone with a backhoe. And you'll need a concrete contractor to lay the foundation.

Sometimes you won't be able to get a concrete truck close to the jobsite. In that case, you'll have to pump the concrete through a large hose (about 4 inches in diameter) from the truck to the wall location. Pumping also works well when pouring into narrow, formed-out foundations or wall cavities.

Most concrete transit mix trucks hold about 9 cubic yards of concrete. You'll be charged by the cubic yard, of course. But if you order less than 9 yards, you'll probably have to pay a surcharge for the short load. Still, I order transit mix concrete for any job that needs more than 3 cubic yards at once; less than that, and you're probably better off mixing it yourself on the jobsite.

Brick Walls

Brick walls offer durability and a wide range of design options, and require about the same equipment as block walls — you'll just be working with more, but smaller, building units. Brick work is popular nationwide, but more common in the Northeast. Brick is also used extensively in the Southeast where Georgia clay abounds.

For repairs or additions to existing brick walls, brick staining offers a cost-effective alternative to searching for an exact color match.

Stone Walls

Stone walls can be made from natural or artificial stone. Natural stone walls are common in rural areas where stones are a waste product from land clearing operations. Stone wall builders don't need any special tools except a tractor, a wagon to cart the stones, and a strong back. When laying stone walls in mortar, you'll need mortar mixing equipment. Stone walls usually require a foundation and, therefore, the help of a concrete contractor. Figure 1-2 shows a wall made from colored precast concrete panels that replicate natural stone. See Chapter 10, Figure 10-33, for a photo of a wall built with natural stone.



Figure 1-3
Stone veneer wall

Stone veneer can be molded or cut into so many shapes and colors that it's very popular for use with many different architectural styles. It's usually applied over wood frame or concrete block walls. See Figure 1-3. The contractor who frames the wall or lays the block may also apply the veneer. The tools required for applying stone veneer are the same as for building block walls. We'll discuss veneer walls in more detail in Chapter 10.

Poured Concrete Walls

Poured concrete walls are relatively expensive to build, but they make up for it in strength. You'll need forms, usually made of $\frac{3}{4}$ -inch waterproof plywood (plyform), fiberglass, or sheet metal. See Figure 1-4. The forms come in sections that you can assemble, remove and reuse easily. You'll need a concrete pumping service to pump concrete from the truck to the forms. You'll also need a source for rebar to reinforce the concrete.

For some jobs it's cheaper to use pre-fab wall sections. If this is your choice, you'll need a crane or hoist to place these sections in position.



Figure 1-4
Poured concrete wall forms

Wire Mesh Fences

It's easy to get into the wire mesh fence contracting business. Wire mesh fencing is common in rural and semi-rural areas where ranchers have to enclose animals and fowl rather than restrict access to people. These are the materials you'll need to build wire fences:

- ½-ton truck, 8-foot bed or longer
- hand truck for moving rolls of mesh
- gas-powered post hole digger
- block and tackle or stretcher
- wire cutters
- wheelbarrow
- gas-powered concrete mixer
- 100-foot-long tape measure (minimum)
- 6-foot level
- transit to lay out and level long sections
- stringline and batten
- shovel, pick, hoe and manual post hole digger
- assortment of screwdrivers and wrenches
- 2-pound hammer

Unless there's a high demand for wire mesh fencing in your area, I suggest you handle barbed wire and chain link fencing in addition to wire mesh.

Barbed Wire Fences

In rural areas, ranchers use barbed wire to contain cattle on rangeland. It's also used to mark off fields, although any hunter can climb through it. See Figure 1-5. Sometimes you'll find barbed wire along the top of chain link fences to discourage people from climbing them.

Startup costs in the barbed wire fence business are the same as those for wire mesh fence contracting, as is the equipment. The wire stretcher is a different design, however, and you'll need a hammer or two.

Chain Link Fences

You'll find chain link fences mostly in urban commercial areas. They're effective at keeping intruders out of storage areas, off factory grounds and out of streams and lakes. They may be used inside factories to fence off equipment or inventory. Chain link security fences are usually 8 to 10 feet high. Smaller fences, in the 4- to 6-foot range, are used to define residential lots.

Chain link is very versatile: It's used to pen animals, form baseball fields, and surround swimming pools, tennis courts, children's playgrounds and parking lots. You'll need about the same equipment as for wire mesh fencing. For work inside industrial buildings you'll need some concrete drilling equipment, since most warehouse floors are poured concrete. Your truck should have a rack for carrying 20-foot sections of pipe.

Wood Fences

Here is where style takes over. There are about as many types of wood fences as there are lumber dimensions. Fortunately, most wood fence jobs will require the same basic equipment:

- ½-ton truck, 8-foot bed or longer
- manual or gas-powered post hole digger
- power saws and hand saws
- electrical generator for working in isolated areas
- air compressor for nail gun
- assortment of screwdrivers and wrenches
- stringline and batten
- shovel, axe, pick, hoe, and manual post hole digger
- hammers: claw and sledge
- drill and drill bits
- transit (optional)
- 2-foot and 6-foot levels
- gas-powered concrete mixer
- wheelbarrow
- assortment of woodworking chisels

You can build these fences from scratch, or buy and install prefab fencing. You'll usually need to buy materials, but on some rural jobs you might use timber cut on the site. For this type of work you'll need a chainsaw, log splitter, and possibly a small bulldozer (which you'll probably choose to rent).



Figure 1-5

Barbed wire fence



Figure 1-6
Ornamental metal fence

Constructed Metal Fences

These fences include those made from ornamental iron or pipe. Ornamental iron is very popular with homeowners, and most of this work will be residential. Figure 1-6 shows some typical ornamental iron fencing.

Metal security fences and gates are common around commercial buildings, while pipe fences usually serve to restrain animals — mainly horses and cattle. They're also used as safety railings where there's danger of people falling, such as balconies and scenic lookouts along highways. Here are the tools and equipment you'll need for metal fence construction:

- 1-ton truck (or larger)
- gas or gas-powered electric welder and tips
- gas-powered post hole digger
- metal-cutting saws
- drills for wood, concrete, and metal
- gas-powered concrete mixer
- assortment of screwdrivers and wrenches
- hammer and mallet

**Figure 1-7**

Fence built from mixed material types

- shovel, pick, hoe, and manual hole digger
- transit (optional)
- stringline
- 2- and 6-foot levels
- metal grinder or drill attachment
- paint and brushes for touchup

Highway guardrails are another common metal fencing application. If you're doing highway work, you may also need a bulldozer.

Multi-Material Fences

Building walls and fences that combine multiple styles or material types can add beauty and functionality. One common combination is a tempered glass or acrylic fence along the top of a masonry wall. Figure 1-7 shows PVC lath installed under a PVC fence. This offers extra privacy and also keeps the dog from getting out of the yard.

Siding and Stucco

You can use any kind of siding material to build fences: aluminum, steel, vinyl or stucco. First build a conventional wall frame from 2 x 4s or 2 x 6s. Then use the siding material as a facing. All you need are basic saws, drills, and hand tools.

Hedges and Landscape Fencing

For a fence that blends well with nature, you can use trees and shrubs — by themselves or in combination with other wall and fence styles — to form barriers. A well-maintained hedge is inexpensive and environmentally friendly: It won't rust and never needs painting. You do have to know what plants work best in your climate. A trip to a local nursery or some Internet research will help in that regard. Cost for tools and equipment is usually minimal.

Retaining Walls

Retaining walls prevent soil or falling rock from intruding upon occupied areas. They're also effective wind and noise barriers. Many retaining walls are built under government contracts. If you plan to bid on public works jobs, you'll probably find plenty of retaining wall work available in your area.

Equipment needed to build retaining walls tends to be expensive. You don't need many hand tools, but for most jobs you'll probably need a tractor-loader backhoe and a dump truck. You're generally better off renting the necessary equipment unless you intend to specialize in this type of work.

"Dirt is cheap, but lives aren't. You can't afford to have your wall collapse."

In most cities and counties, retaining walls require building department approval. The inspector wants to be sure the wall is strong enough to support the load. Except for small retaining walls, the building department isn't going to determine what's safe and what isn't. Instead, they rely on the opinion of the civil engineer *you* hire to prepare the plans. The engineer's stamp on the plans certifies that the wall meets accepted engineering standards. That's important. Dirt is cheap, but lives aren't. You can't afford to have your wall collapse.

Once the wall is finished, the slope above the wall should be landscaped to help hold the soil in place. You should be ready to suggest landscaping materials that will hold your man-made hills together.

Sea Walls

If you're near an ocean, lake or river, you'll probably have the opportunity to bid on sea walls. Sea walls, built to prevent damage from rising water, are made from stone, concrete, treated wood piles, sheet metal, fiberglass composites, or vinyl.

Every Job Begins With a Sale

There won't be much work to do until you start selling jobs. Selling is an important part of the business. Consider two questions:

1. Can you afford to hire a fulltime salesperson?
2. If not, can you afford to spend time selling jobs rather than building or supervising a crew?

My advice is to let the builders build and the salespeople sell. Unless you've got a special talent for sales, find someone who likes meeting the public and knows (or is willing to learn) something about fence building and retaining walls. Many people can learn to be good salespeople and enjoy selling. Favor someone who can make a sketch of what they're trying to sell. Some training in drafting or architecture is an advantage.

Your salesperson (or salespeople) should work on commission, earning more when they close more jobs. Commissions range from 5 to 15 percent of the contract price, often with a weekly draw. In Chapter 13, I suggest sales techniques that can keep your company busy and prosperous.

Fence Maintenance Contracting

All fences need repair or maintenance at some point, which makes fence maintenance contracting a good starter or add-on business. As a starter business, it's a good way to get established while you learn the ins and outs of the fence contracting business. There is definitely a market for this. I took a multitude of photos of fences for this book, and many of those fences clearly needed repair. Of course, you need to be a good handyman, and proficient in the use of hand tools. Start by looking for work in older neighborhoods.

"You can also offer limited emergency service on a per-call basis when severe damage has occurred."

Some fence contractors offer maintenance plans to customers with existing fences and walls. That typically entails coming by on a regular basis to inspect, repair any minor damage, oil hinges, tighten screws and bolts, and re-nail loose boards. You can also offer limited emergency service on a per-call basis when severe damage has occurred. This could be necessary after a wind storm, or when someone has run their car through a fence. Your service could also include periodic painting or waterproofing of customers' fences.

Your startup cost for this type of service is small: a few basic hand tools, a small inventory of materials, and a pickup truck or van. Who do you sell to? Mostly business and local governments; but many homeowners will also hire you. They either can't or don't want to bother doing it themselves.

On fence repair jobs, I recommend that you charge by the hour and add the cost of materials. Charging a fixed fee for this kind of work is usually a mistake. You'll often find hidden damage. Chapter 8 has more information on fence repairs and maintenance.

Design and Architecture

Anyone who's making a living in the fence business should see the difference between a fence that adds beauty to a home or neighborhood and a fence that's an eyesore. In many cases, you're going to be the designer — the person who recommends the fencing material *and* design. I've seen too many fences and walls that just didn't complement the property. Don't make that mistake.

I've seen many others that fell apart way too soon due to poor design. The designer didn't consider how the fence would be used and the problems that came with the site. Don't make that mistake either. The chapters that follow will help you select designs and materials to make attractive, well-engineered walls and fences.

Drafting and Layout

When you prepare plans for a fence or wall, your focus should be on technical accuracy. You have to take the designer's ideas and sketches and turn them into working blueprints that show, in detail, how all the parts fit together. To do that, a year or two of drafting experience and familiarity with fence building are essential.

Fence Rentals

Fence rental is good business in areas where many commercial or industrial buildings are under construction. Construction contractors rent fences to protect their equipment and tools on a jobsite. Insurance companies and local governments favor fenced construction sites because fencing helps keep vandals and kids off the site at night and on weekends.

Farmers and ranchers use temporary fencing to hold livestock during roundup. Businesses use it when they have to secure inventory outdoors for a period of time.

Most rental fences are chain link. You install them the same way you do permanent chain link fences, but without cementing the posts into the ground. Some varieties are freestanding, with concrete or metal panel stands that require no digging.

When renting out fencing, charge from a third to a seventh of your cost for the materials — the mesh, posts, and gates. This is based on the expectation that you can rent the same materials at least seven times, and perhaps as many as 20 times.

Charge your regular rate for delivery and installation, based on soil conditions and how level the site is. Some companies charge the same whether you rent the fence for a week or a year. You'll probably want to include a separate charge for removal.

If this sideline business interests you, check with some of your local competitors for prices. Use them as a guide to see whether you can make money renting fences.

Fence-Building Equipment Rentals

If you're in the fence-building business, consider renting out equipment that's sitting idle. Other contractors, subcontractors, and property owners may need a good source of specialized equipment. Require a deposit, valid identification, and a rental contract from your customers. In some states, your customers will need special operators' licenses to use heavy equipment such as backhoes or bulldozers.

Here are some examples of the equipment that's usually in demand:

- backhoe
- bulldozer
- power post hole diggers
- outdoor heaters
- concrete mixers
- trucks
- tractors
- stretchers
- electrical generators
- air compressors
- airless sprayers
- power washers
- specialized small hand and power tools

The daily rental rate for most small pieces of equipment is usually about 5 percent of the purchase price. That means you can recover the purchase price once equipment is rented about 20 times. But some equipment may only rent out a few times a year. So it may take several years to earn a decent payback. For weekly and monthly rentals, it's generally appropriate to offer discounts in proportion to the rental period.

Insurance will be important if you rent fence-building equipment. Make sure you're protected from liability and loss due to equipment damage or theft. To be competitive in this business, you'll probably need to invest several hundred thousand dollars in equipment. After the initial payback, you'll keep between 40 and 60 percent of each rental dollar after expenses. It's a good business if you can afford to get into it.

Material Sales

Here is another good money-maker for fence contractors: sell materials to other fence contractors. This works well if you're already stocking both raw materials and some hardware. You just need to offer delivery to the site and off-loading services. Many lumberyards carry some fencing materials, but, as you'll see in later chapters, a lot of materials are unique to fence building.

"To be competitive as a fence material dealer, you need to make a substantial investment ... several hundred thousand to a few million dollars."

You can supply just one line — wood fencing, for example. Or you can be a full line supplier offering block, brick, metal, wood, chain link and others. To be competitive as a fence material dealer, you need to make a substantial investment ... several hundred thousand to a few million dollars. It's easier to accumulate capital like that if several people pool their resources and form a corporation. I'll tell you more about that in Chapter 11.

You might also consider prefab fencing as a business venture. Some fencing material dealers assemble and sell prefab metal, concrete, vinyl, composite or wood fence sections. You'll need a few good designs, a materials supplier, a building, and tools. You'll also need a way to deliver the completed sections to your dealers' or customers' locations. Also keep in mind that many companies already offer prefab fencing. Check out their designs and prices to be sure you can either build a better product or build the same product at a lower cost.

As you can see, the fencing and retaining wall business offers a wide range of opportunities through specialties or branch businesses. Many states now require that contractors be licensed. And all companies that have employees need to know something about labor laws. I'll cover those subjects next.

Get Your License

All states that require contractors to be licensed have contractor license schools. Some only teach the test, some only teach the basics of construction, and some may teach both. Before you invest time and money in a course, find out exactly what's offered. Ask questions like:

- Do they pre-test you to find out if you even qualify to become a licensed contractor? Many don't. All they want to do is sell you some study materials.
- Do they tell you in advance just how much money the school and the license will cost? If they don't, you could be in for a shock later.
- Do they teach you the trade using hands-on experience? Not many do. Most assume you already know how to build a fence or wall.
- Will they help you find that first job after you get your license? That first flight from the nest isn't always easy.
- Will they guarantee success in passing your test? Some will refund your money if you don't pass after you take the test twice.
- Do they teach a section on contractor's math? Questions on this subject will be included in most state tests.

How Much Does a Contractor's License Cost?

The schools that teach only the test are usually the least expensive. You get an average of 15 hours class time over a few weeks, several manuals, and sample tests to take. Most schools will allow you to retake the course for free if you fail the state exam, and will even refund part of your fee if you fail the state exam three times in a row. Make sure your contract covers restrictions and refunds.

Schools that teach a trade might charge thousands of dollars for the course. If you're going part-time, plan on spending your evenings and weekends studying and building for at least six months. There are a few fulltime schools that will teach you what you need to know in three to four weeks.

In addition to classroom training, there are plenty of Internet or self-study courses, materials and computer programs designed to help you prepare for license exams.

Check these schools and programs out carefully before you commit to one. Your state consumer affairs office or contractor's license board can tell you if a school is legitimate.

The license itself can cost anywhere from a few dollars to several hundred dollars, depending on the state. California charges a flat fee for the first classification, and a lesser amount for each additional classification or specialty.

Some states will require both a license and a *contractor's license bond*. If you default on a job, abandoning it before the work is finished, the state can revoke your license and the bond proceeds are available to compensate the owner. You may also have to show proof that you have enough *working capital* to support a contracting business. Working capital is money available to pay for labor and materials.

Many county and local governments will require that you post a bond when you bid on work under a government contract. Usually both a *bid bond* and a *completion bond* are required. The bid bond is submitted with the bid. It guarantees that you'll sign a contract to do the work if your bid is accepted. The completion bond guarantees that you'll complete work identified in the contract. Bid and completion bonds are written by insurance companies specializing in this type of work.

Most cities require contractors doing business in their city to have a business license. The license is usually a set amount plus a tiny fraction of your estimated gross receipts in the city for the coming year.

Prove It

Can you prove you know your trade? Along with your application for a license, many states now require that you submit proof of prior experience. For example, California requires a *Certification of Work Experience*, as shown in Figure 1-8.

You may substitute college-level education or union apprenticeship for construction experience. You can also substitute building your own home or owning an apartment or condo complex in which you do all your own maintenance. However, these substitutions are sometimes prorated. For example, building your own home may only count as three months' experience toward the requirement. On the other hand, apartment and condo complex owners generally get full credit for their years of ownership.

Of course, every state can set its own requirements for a fence contracting license. Check out the requirements before you invest a lot of time and money in something for which you may not be qualified. Even if you feel qualified, the license board may not agree.

The Contractor's License Application

Where do you apply for your contractor's license? Do an Internet search or look in your telephone directory under the name of your state. If there isn't a



CONTRACTORS STATE LICENSE BOARD
 9821 Business Park Drive, Sacramento, CA 95827
 Mailing Address: P.O. Box 26000, Sacramento, CA 95826
 800.321.CSLB (2752) | www.cslb.ca.gov | CheckTheLicenseFirst.com

STATE OF CALIFORNIA

Certification of Work Experience

Please read the General Information on the previous page before beginning this form.

The qualifying individual from Page 1 of the application must complete the information in Part 1 below; then, the certifier (person certifying the experience) must complete Part 2. The experience must be verifiable through payroll records or similar documents. If additional space is needed to list the trade duties, please attach a separate sheet that must also be signed under the same certification statement contained below in line 9.

Use a separate form for each employer or work setting. If you need additional forms, please make a copy of this blank form or visit CSLB's website to print the form.

Please type or print neatly and legibly in black or dark blue ink – pencil is not acceptable.

FORMS CONTAINING STRIKEOUTS OR MODIFICATIONS MAY NOT BE ACCEPTED. Corrections must be initialed by the certifier.

PART 1 – QUALIFYING INDIVIDUAL (APPLICANT) INFORMATION
 The qualifying individual must complete Part 1 in its entirety before the certifier completes Part 2.

1. QUALIFIER'S FULL LEGAL NAME Last First Middle

2. BUSINESS NAME OF COMPANY WHERE EXPERIENCE WAS GAINED – OR, IF YOU WERE SELF-EMPLOYED, LEAVE THIS SPACE BLANK AND CHECK THIS BOX (If you checked the box, skip line 3 and go to line 4.) LICENSE NUMBER OF COMPANY WHERE EXPERIENCE WAS GAINED

3. COMPANY'S BUSINESS STREET ADDRESS Number/Street Only – NO P.O. Boxes City State ZIP Code

4. WAS THE EXPERIENCE OBTAINED WORKING ON YOUR OWN PROPERTY AS AN OWNER-BUILDER (see previous page for definition)? Yes No
 If you checked "Yes" above, use the Owner-Builder B-General Building Construction Project Experience form to provide information on completed projects.

PART 2 – WORK EXPERIENCE AND CERTIFICATION STATEMENT
 The certifier must complete Part 2 in its entirety after the qualifying individual (applicant) has completed Part 1.

5. APPLICANT'S JOURNEYMAN-LEVEL OR HIGHER TIME-BASE WORKED IN SPECIFIC TRADE DUTIES (check one): FULL-TIME PART-TIME } FROM _____ TO _____ = _____ YEAR(S) and _____ MONTH(S)
 (List ONLY journeyman-level or higher experience that was obtained in the applicable classification.) (Do not claim credit for full-time work if applicant worked only part-time or if trade duties in requested classification were only one component of entire job. For example, if applicant worked half-time in specific trade duties for six (6) years, write "3 years" in the space above.)

6. IN THE SPACE BELOW, LIST ALL SPECIFIC TRADE DUTIES APPLICANT PERFORMED OR SUPERVISED IN THE CLASSIFICATION FOR WHICH THEY ARE APPLYING. **PLEASE REFER TO THE DESCRIPTION OF CLASSIFICATIONS DOCUMENT FOR ASSISTANCE.** (Do not list office work or individual project names.)

7. My business relationship to _____ is or was (check all that apply):
 Name of Qualifying Individual (Applicant)
 Employer Contractor (License Number _____) Foreman or Supervisor
 Journeyman Fellow Employee Union Representative Business Associate

8. CERTIFIER'S STREET ADDRESS Number/Street Only – NO P.O. Boxes City State ZIP Code

PHONE NUMBER () FAX NUMBER () EMAIL ADDRESS

9. I certify that I have direct knowledge of the work covering the time period outlined above. I certify under penalty of perjury, under the laws of the State of California, that the information stated above is true and correct.

Date Signature Printed Name

Note: For information on the collection of personal information, please refer to the General Information and Instructions at the beginning of this application package, under the heading "Collection of Personal Information."



13A-11 (rev. 08/2023)

Certification of Work Experience

FOR CSLB USE ONLY

Figure 1-8

Work experience certification form

listing for a contractor's license board, call your state department of consumer affairs. If there's a license requirement, get a copy of the license law and ask for an application. Figures 1-9A through 1-9C include pages from a typical application form. I suggest looking it over so you have a feel for the types of questions and requirements you'll encounter. If you live in California, you can go to the state licensing board's website for more information. The address is www.cslb.ca.gov

Your contractor's license doesn't give you any special privileges except the right to bid jobs and get paid the contract price for the work you've done. In fact, it creates special duties owed to your employees, your customers and the license board. As a licensed contractor, if you do the wrong thing, you can be fined or lose your license.

You'll also be subject to regulation by the labor board, federal, state and local taxing agencies, and OSHA (Occupational Safety and Health Administration). They all have rules you must know and follow.

Fines and penalties for misconduct as a contractor can cost you dearly. We'll cover some of the contractor regulations on sales and safety in later chapters. Following are only some of the limitations that go along with being a licensed contractor.

You're subject to disciplinary action or criminal prosecution if you:

- lie or misrepresent material facts on your application for a contractor's license.
- help an unlicensed person evade the provisions of contractor's law. This includes things like falsely verifying experience so that another person can get a contractor's license.
- lend or sell your contractor's license to another person.
- deliberately withhold pay from employees, subcontractors, and suppliers for their services.
- start work on a job without first getting the required building permits. Your contractor's license may be suspended or revoked for doing so.
- contract for construction work that isn't covered by the valid license classification you hold. The exception is when the prime contract requires the contractor to do closely-related work. For example, you're permitted to paint a fence after you install it. But you can't add a wing to the customer's house that attaches to a fence.
- deliberately write checks for materials or services supplied by others without enough money in the bank to cover the checks.



CONTRACTORS STATE LICENSE BOARD

STATE OF CALIFORNIA

9821 Business Park Drive, Sacramento, CA 95827
 Mailing Address: P.O. Box 26000, Sacramento, CA 95826
 800-321-CSLB (2752) | www.cslb.ca.gov | CheckTheLicenseFirst.com

FOR CSLB USE ONLY

Application for Original Contractor License

Application Fees

- Single classification** \$450
- Initial license fee (sole owner) * \$200
- Initial license fee (non-sole owner) * \$350
- Total fees required (sole owner)** \$650
- Total fees required (non-sole owner)** \$800
- Initial license fee to be paid after exams

The application fee for a single classification (\$450) is not refundable once the application has been filed.

Attach a money order or a personal, business, certified, or cashier's check made payable to the Registrar of Contractors. Do not send cash.

There is a \$25 service charge for each dishonored check.

Voluntary contribution to Construction Management Education Account \$ _____

* **Military Veterans see question #18**

Please type or print neatly and legibly in black or dark blue ink.

SECTION 1 – BUSINESS NAME AND ADDRESS

Business Name: The legal business name will appear on the license and is the actual name under which the contracting business will operate. The full business name must be provided. The business name must not be misleading in relation to the classification(s) issued for that license and must be compatible with the type of business entity licensed. Please refer to the General Information and Instructions for information on business name styles.

1. FULL NEW BUSINESS NAME		2. CLASSIFICATION REQUESTED (Only one classification may be requested on the original application if an exam is required.)	
3a. BUSINESS MAILING ADDRESS Number/Street or P.O. Box		City	State ZIP Code
3b. BUSINESS STREET ADDRESS Number/Street Only – NO P.O. Boxes or PMBs		City	State ZIP Code
3c. BUSINESS PHONE NUMBER ()	BUSINESS FAX NUMBER ()	BUSINESS EMAIL ADDRESS	

SECTION 2 – BUSINESS ENTITY

Corporations must provide a current and active California Secretary of State corporate registration number below. Please be sure to write the corporate titles (president, secretary, and treasurer) in the space provided for the appropriate personnel in Sections 3 and 4. **Partnerships** must list their federal employer identification number (FEIN) below (personal Social Security numbers and individual taxpayer identification numbers [ITIN] are not acceptable). **Limited liability companies (LLC)** must provide a current and active California Secretary of State registration number below. If this LLC has officers, please be sure to write the titles (president, secretary, and treasurer) in the space provided for the appropriate personnel in Sections 3 and 4. (See the General Information and Instructions for more information.)

4. NEW BUSINESS WILL OPERATE AS A (check only one)

Sole Ownership (not a corporation or LLC) Partnership – Federal Employer ID # _____

California Corporation # _____ Limited Liability Company # _____

SECTION 3 – QUALIFYING INDIVIDUAL FULL LEGAL NAME AND ADDRESS

Qualifying Individual (Qualifier): A qualifying individual is required for every classification on every license issued by CSLB. You must provide full legal names of all individuals. (See the General Information and Instructions for more information on completing this section.)

5a. QUALIFIER'S FULL LEGAL NAME Last First Middle		DATE OF BIRTH	SOCIAL SECURITY NUMBER or ITIN
5b. RESIDENCE ADDRESS Number/Street Only – NO P.O. Boxes or PMBs		City	State ZIP Code
6. QUALIFIER'S EXISTING / PREVIOUS CSLB LICENSE NUMBER(S) (if none, enter "N/A")	PERCENTAGE OF NEW BUSINESS OWNED BY THE QUALIFIER _____ %	DRIVER LICENSE NUMBER	RESIDENCE PHONE NUMBER ()
7. TITLE OR POSITION (check only one) For LLC and corporations qualified by a Responsible Managing Officer, the corporate title you provide in this section must exactly match the corporate title listed on SOS records.			
<input type="checkbox"/> Owner (sole ownership only) <input type="checkbox"/> Qualifying Partner <input type="checkbox"/> Responsible Managing Employee (RME)* <input type="checkbox"/> Responsible Managing Member <input type="checkbox"/> Responsible Managing Manager <input type="checkbox"/> Responsible Managing Officer (RMO) – Title(s): _____			
* RMEs are prohibited from having an active sole owner license. Please visit CSLB's website for an Application to Inactivate Contractor's License, if needed.			
8. I certify under penalty of perjury under the laws of the State of California that all statements, answers, and representations made in this application, including all supplementary statements attached hereto, are true and correct, and that I have reviewed the entire contents of this application. In signing and submitting this application, I also authorize the Franchise Tax Board to provide CSLB with required tax information pursuant to Business and Professions Code (BPC) section 7145.5.			
Date	Signature	Printed Name	



13A-1 (rev 12/2023)

Application – Page 1 of 4

FOR CSLB USE ONLY

Figure 1-9A

Contractor's license application form

Applicant's Business Name (as listed in Section 1 of this application): _____
 (If additional space is needed, please make a copy of this blank page.)

SECTION 4 – PERSONNEL FULL LEGAL NAMES AND ADDRESSES (Other than Qualifying Individual)

The following must be **completed by all individuals and companies that will be listed on the license**. You must provide **full legal names** of all individuals. Each individual must sign the certification statement under penalty of perjury. (See the General Information and Instructions regarding company personnel.)

9a. PERSONNEL FULL LEGAL NAME Last	First	Middle	DATE OF BIRTH	SOCIAL SECURITY NUMBER or ITIN
------------------------------------	-------	--------	---------------	--------------------------------

RESIDENCE ADDRESS Number/Street Only – NO P.O. Boxes or PMBs	City	State	ZIP Code	DRIVER LICENSE #
---	------	-------	----------	------------------

TITLE OR POSITION (check only one) <input type="checkbox"/> Owner <input type="checkbox"/> General Partner <input type="checkbox"/> Limited Partner <input type="checkbox"/> Director <input type="checkbox"/> Member <input type="checkbox"/> Manager <input type="checkbox"/> Officer - Title(s) _____	RESIDENCE PHONE NUMBER ()
---	-------------------------------

I certify under penalty of perjury under the laws of the State of California that all statements, answers, and representations made in this application, including all supplementary statements attached hereto, are true and correct, and that I have reviewed the entire contents of this application. In signing and submitting this application, I also authorize the Franchise Tax Board to provide CSLB with required tax information pursuant to BPC section 7145.5.

Date	Signature	Printed Name
------	-----------	--------------

9b. PERSONNEL FULL LEGAL NAME Last	First	Middle	DATE OF BIRTH	SOCIAL SECURITY NUMBER or ITIN
------------------------------------	-------	--------	---------------	--------------------------------

RESIDENCE ADDRESS Number/Street Only – NO P.O. Boxes or PMBs	City	State	ZIP Code	DRIVER LICENSE #
---	------	-------	----------	------------------

TITLE OR POSITION (check only one) <input type="checkbox"/> General Partner <input type="checkbox"/> Limited Partner <input type="checkbox"/> Director <input type="checkbox"/> Member <input type="checkbox"/> Manager <input type="checkbox"/> Officer - Title(s) _____	RESIDENCE PHONE NUMBER ()
--	-------------------------------

I certify under penalty of perjury under the laws of the State of California that all statements, answers, and representations made in this application, including all supplementary statements attached hereto, are true and correct, and that I have reviewed the entire contents of this application. In signing and submitting this application, I also authorize the Franchise Tax Board to provide CSLB with required tax information pursuant to BPC section 7145.5.

Date	Signature	Printed Name
------	-----------	--------------

9c. PERSONNEL FULL LEGAL NAME Last	First	Middle	DATE OF BIRTH	SOCIAL SECURITY NUMBER or ITIN
------------------------------------	-------	--------	---------------	--------------------------------

RESIDENCE ADDRESS Number/Street Only – NO P.O. Boxes or PMBs	City	State	ZIP Code	DRIVER LICENSE #
---	------	-------	----------	------------------

TITLE OR POSITION (check only one) <input type="checkbox"/> General Partner <input type="checkbox"/> Limited Partner <input type="checkbox"/> Director <input type="checkbox"/> Member <input type="checkbox"/> Manager <input type="checkbox"/> Officer - Title(s) _____	RESIDENCE PHONE NUMBER ()
--	-------------------------------

I certify under penalty of perjury under the laws of the State of California that all statements, answers, and representations made in this application, including all supplementary statements attached hereto, are true and correct, and that I have reviewed the entire contents of this application. In signing and submitting this application, I also authorize the Franchise Tax Board to provide CSLB with required tax information pursuant to BPC section 7145.5.

Date	Signature	Printed Name
------	-----------	--------------

9d. PERSONNEL FULL LEGAL NAME Last	First	Middle	DATE OF BIRTH	SOCIAL SECURITY NUMBER or ITIN
------------------------------------	-------	--------	---------------	--------------------------------

RESIDENCE ADDRESS Number/Street Only – NO P.O. Boxes or PMBs	City	State	ZIP Code	DRIVER LICENSE #
---	------	-------	----------	------------------

TITLE OR POSITION (check only one) <input type="checkbox"/> General Partner <input type="checkbox"/> Limited Partner <input type="checkbox"/> Director <input type="checkbox"/> Member <input type="checkbox"/> Manager <input type="checkbox"/> Officer - Title(s) _____	RESIDENCE PHONE NUMBER ()
--	-------------------------------

I certify under penalty of perjury under the laws of the State of California that all statements, answers, and representations made in this application, including all supplementary statements attached hereto, are true and correct, and that I have reviewed the entire contents of this application. In signing and submitting this application, I also authorize the Franchise Tax Board to provide CSLB with required tax information pursuant to BPC section 7145.5.

Date	Signature	Printed Name
------	-----------	--------------

13A-1d (rev 12/2023) Application – Page 2 of 4	FOR CSLB USE ONLY
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Figure 1-9B

Contractor's license application form

Applicant's Business Name (as listed in Section 1 of this application): _____

SECTION 5 – REQUIRED APPLICATION QUESTIONS

All questions in this section must be answered. Questions 10 - 12 pertain to **all** individuals listed on this application (qualifying individual and all personnel listed in Section 4), and Questions 13 – 15 pertain to the qualifying individual only.

- 10. To the best of your knowledge, is anyone listed on this application (or any company the person is or was a part of) named in or responsible for any unsatisfied final judgments, liens, and/or claims against any bond or cash deposit pertaining to a construction project?** Yes No
- If you checked "Yes" for this question, you are required to attach a statement identifying all judgments (pending or on record), liens, past due unpaid bills, claims, or suits and a detailed explanation of the situation. Include the names and addresses of the parties involved. If the obligation was or is being discharged in bankruptcy, attach a copy of the bankruptcy filing and a copy of the creditors list.
-
- 11. To the best of your knowledge, has anyone on this application (or any company the person is or was a part of, or any immediate family member of the applicant) ever received a citation from CSLB or had a contractor license or other professional or vocational license or registration denied, suspended, revoked, or otherwise disciplined by this state or elsewhere (i.e., other U.S. state, U.S. territory, agency of the federal government, or other country)?** Yes No
- For the purposes of responding to this question, "disciplined" is an administrative action that resulted in a restriction or penalty being placed on any license you have or have possessed, such as a revocation, suspension, probation, or reprimand.
- (Check "No" if the license or registration was suspended due to lack of a bond, workers' compensation or other required insurance, a qualifier, or family support.)
- If you checked "Yes" for this question, you are required to attach a statement detailing the events leading to this action.
-
- 12. To the best of your knowledge, has anyone on this application failed to resolve any outstanding final liabilities, which include taxes, additions to tax, penalties, interest, and any fees that may be assessed by CSLB, the Department of Industrial Relations, the Employment Development Department, the Franchise Tax Board, or the State Board of Equalization (BOE)?** Yes No
- If you checked "Yes" for this question, you are required to attach a statement regarding the outstanding liabilities. In relation to BOE liabilities, you must indicate if you have entered into an installment payment agreement for that liability with the BOE and provide verification that you are in compliance with the terms of that agreement, if applicable.
-
- 13. (This question must be answered by the qualifying individual.)** Direct supervision and control over construction operations includes any one or a combination of the following activities: supervising construction, managing construction activities by making technical and administrative decisions, checking jobs for proper workmanship, or direct supervision on construction job sites. **Will you, as the qualifying individual, perform one or more of these duties?** Yes No
-
- 14. (This question must be answered only if the qualifying individual is a responsible managing employee [RME].)** Business and Professions Code Section 7068 (c) states in part that a RME is a bona fide employee that is permanently employed by the applicant and is actively engaged in the operation of the business, meaning working at least 32 hours per week or 80% of the total hours per week that the applicant's business is in operation. **Will you, as the responsible managing employee, meet the requirements of Business and Professions Code Section 7068 (c)?** Yes No
-
- 15. The examinations are administered in English.** Will you require the use of a CSLB-approved translator? Yes No
- If yes, in what language will your translator read the exam? _____

Applicant's Business Name (as listed in Section 1 of this application): _____

(If additional space is needed, please make a copy of this blank page.)

SECTION 6 – QUALIFIER EDUCATION, APPRENTICESHIP, LICENSURE, AND MILITARY

Applicants must answer the following questions and may be granted credit toward licensure requirements or receive expedited processing as noted below. Please refer to the General Information and Instructions for more information. If you checked "Yes" in response to any question, please provide the requested documentation.

16. Have you completed an educational or apprenticeship program?

If you checked "Yes" for this question, you may be granted credit for **completed training in an accredited school** if you:

- Submit transcripts for a four-year degree, two-year degree (or less), technical training (must include course hours and descriptions), and all other degrees in a business or construction-related field.

Transcripts must be certified official and received directly from the educational institution in a sealed envelope. (If you received your degree outside the United States, your transcripts must be translated, if in a language other than English, and evaluated by an accredited evaluation service that does business within the United States.)

Yes No

You may be granted credit for a **completed apprenticeship program** if you:

- Submit a copy of your apprenticeship certificate; **AND**
- Enter the beginning and ending dates of your completed apprenticeship program:

From _____ to _____
Month/Day/Year Month/Day/Year

(The apprenticeship period cannot overlap the journeyman-level experience period being certified on the Certification of Work Experience.)

17. Are you licensed in another state in the same classification for which you are seeking licensure? If you checked "Yes" for this question, you must provide a License Verification Request form that is completed by the licensing agency from the other state, please see CSLB's website to see if your state and classification qualifies.

Yes No

18. Are you serving in, or have you previously served in, the United States Armed Forces?

If you checked "Yes" for this question, please provide the following documentation for review to potentially receive expedited processing and a 50% reduction in the initial license fee:

- Evidence of your current military duty (copy of your military orders) or your previous military service (copy of your latest DD 214 long form – Certificate of Release or Discharge from Active Duty showing discharge status or Copy of Driver's License with "Veteran" endorsement) or National Guard discharge (form GNB 22) or Reserves discharge (form DD 256). See instructions section under **Military**.

Yes No

19. The CSLB will expedite the licensure process and waive the license application fee and the initial license fee charged by the board for an applicant who is the spouse of an active-duty member of the Armed Forces stationed in California and meets both of the following requirements:

Are you married to, or in a domestic partnership or other legal union with, an active-duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active-duty military orders?

Yes No

AND

Do you hold a current license in another state, district, or territory of the United States in the profession or vocation for which you seek a license from the board?

If you checked "Yes" for this question, please provide documentation of current licensure AND marriage, partnership or legal union AND active-duty military orders as described in the instructions under **Military**.

No fees will be required if you submit all the above-mentioned documents with the application.

20. Were you admitted to the United States of America under one of the circumstances described below?

1. Admitted as a refugee pursuant to section 1157 of title 8 of the United States Code; 2. Granted asylum by the Secretary of Homeland Security or the United States Attorney General pursuant to section 1158 of title 8 of the United States Code; 3. You have a special immigrant visa and were granted a status pursuant to section 1244 of Public Law 110-181, Public Law 109-163, or section 602(b) of title VI of division F of Public Law 111-8, relating to Iraqi and Afghan translators/interpreters or those who worked for or on behalf of the United States government.

Yes No

If you checked "Yes" for this question, please provide documentation as described in the instructions.

STATE TAX AND OTHER OBLIGATIONS NOTICE

The State Board of Equalization and Franchise Tax Board may share taxpayer information with CSLB. You are obligated to pay your state tax obligation. CSLB may suspend or refuse to issue, reactivate, reinstate, or renew a license if your state tax obligation, child support obligation, or any outstanding final liability to CSLB, the Department of Industrial Relations, or the Employment Development Department is not paid. (BPC sections 30, 31, and 7145.5)

- enter into a contract with an unlicensed non-employee, to construct a project.
- default on a construction contract. If you fail to complete a contract, and you don't have a valid excuse, you may be fined and jailed.
- use funds collected specifically for completion of one job on another job. This is called *diversion of funds*.
- disregard and violate the laws and provisions of any official authority, such as building codes, state and local codes, labor laws, safety laws, and water codes. This also includes tax and insurance laws.
- join with another licensed contractor to submit a joint bid or contract on a job, without first getting a *joint contractor's license*.
- fail to list your correct contractor's license number on contracts, bids, legally required forms, and advertising. This includes the sign on the side of your truck.
- advertise as a contractor unless you hold a valid license for the applicable classification.
- refuse to surrender your license to the contractor's license board when requested to do so.
- operate as a contractor with an expired or forged contractor's license.
- use or display a contractor's license that is not issued to you.
- violate state safety provisions.
- remove, deface, or destroy safety signs or notices required by state agencies.
- falsely state the purpose of a loan when you apply for one. You can't apply to a bank for a loan to build a retaining wall on your property and then use the money for a new car. That's embezzlement.

Those are just a few of the rules for starters. If you have, or will be hiring, employees, there are more — lots more.

Laws Governing Employers

If you're an owner building on your own property, you don't need a contractor's license, providing you don't offer the property for sale for at least one year after you finish building. If you hire someone to help you build your project, you need workers' compensation insurance; see your insurance agent.

Heavy penalties are usually imposed on employers who fail to buy the necessary coverage — a 10 percent penalty and all medical expenses if a person gets hurt while working for you. This applies to relatives as well as non-relatives.

Generally, buying workers' compensation insurance relieves you of liability for job-related injuries. The injured employee's only claim is for workers' compensation unless you're guilty of negligence that caused the injury.

As an employer, you have to comply with both state and federal laws that apply to employers. For example, you need a Federal Employer I.D. number and you must file a Form 941, Employer's Federal Quarterly Tax Return (and remit both the employer's and employees' withheld taxes) each quarter. Both your state government and the federal government have effective ways to enforce these laws.

“Generally, buying workers' compensation insurance relieves you of liability for job-related injuries.”

Like all construction contracting, fence contracting isn't the easiest job in the world. There's not much paperwork if you're a one-man company. But most fence contractors need help with carrying materials, mixing concrete, laying out paths and many other tasks. Unless you're Superman, you'll probably hire some help. Once you do, you're an employer and have to meet the requirements placed on all employers. Below are some of the things all employers need to know.

Most states have labor laws along the following lines:

- If you pay an employee with a check and that check bounces, you're subject to a civil penalty. If you lay off an employee and the final paycheck bounces, you're liable for up to 30 days' additional pay, or pay up until you make the check good, whichever comes first.
- In most states, if you fire an employee for cause, you'll need to provide their final pay at the time of firing. Failure to do so may result in additional penalties and fees.
- You may not *require* your employees to work more than 40 hours per week. You can ask them to, but they don't have to. If you discipline them for not working over 40 hours, you're subject to a fine and a possible jail sentence. But note this carefully: The 40 hours need not be in a five day week. You can ask employees to work six out of every seven days. If you ask employees to work seven days or more in a row, you have to notify your employees in advance and give rest days equal to one for each seven days in the month.

- You can't include requirements in help wanted ads that would discriminate against an applicant. Federal law prohibits discrimination based on race, color, age, sex, national origin or religion. Of course, you may discriminate on the basis of qualification. You can also reject a candidate who can't do a job because of physical or mental limitations.
- You have to pay equal wages for equal work, providing there is equal skill, responsibility, and effort involved. You can't hire a man for \$20.00 an hour to nail boards on a fence and then hire a woman for \$10.00 an hour to do the same thing.
- Private sector employers can't ask an applicant about their past criminal or arrest record or require an applicant to take a polygraph (lie detector) test.
- You can't demand that an applicant or employee purchase items from you. You can require the person to purchase items required for the job, but not from you. For example, you can require safety shoes. You should tell applicants this before you hire them.
- You can't hire an illegal alien. To knowingly hire an illegal alien to the detriment of legal residents is punishable by a fine. Examine the applicant's *green card*. This is a work permit granted by the INS (Immigration & Naturalization Service). You should also check for a passport. The green card identification number should be listed in the passport and should match the number on the card.
- You must provide employees with safe working conditions. Explain any job hazards and safety procedures to new employees before they start work.
- You can't fire or take other disciplinary action against an employee who complains to the authorities of a health or safety violation. If you fire an employee for refusing to work in an unsafe environment, you will have to reinstate them with full back pay. If you demote them, you will have to return them to the status they held before the demotion and make up the difference in pay and benefits.
- If an employee is injured due to unsafe working conditions, the employer must report the injury to the Department of Labor Statistics, OSHA, and their insurance company. In most states, if an employee is killed on the job because of unsafe working conditions, the employer can be fined and jailed.
- If a fellow employee causes another employee to be injured, the injured employee or their surviving family may seek damages from the employer. You're expected to monitor your employees and make sure they're all working safely.

- You can't punish an employee for belonging to, or speaking out for, a political party, person, or activity.
- An employer who advertises for replacement help during a labor dispute must include in the advertisement that there is an ongoing labor dispute.
- If your employees go on strike, you may use family or supervisory personnel to replace the striking workers.
- All employers must get a Federal (from the Internal Revenue Service) and a State Employer Identification Number.
- You are required to withhold Federal and State income taxes, Social Security contributions and disability insurance from employee wages. You also have to contribute matching Social Security funds and Federal unemployment tax based on your total payroll.

Contributions and withholding amounts change from year to year. When you register with your state and local taxing agencies, you'll be notified of current withholding rates, and the method for depositing them.

- You have to pay *nonexempt* employees at least twice during each calendar month. Nonexempt employees are the ones you pay by the hour. Exempt employees are usually management people, and get paid a monthly or yearly salary without regard for the number of hours they work.
- You have to pay employees in legal tender. You can't use merchandise, coupons, scrip, notes, stock, bonds, or other forms of payment. Legal tender means check or cash. You can ask your employees to accept items other than legal tender, but employees have to accept voluntarily. New companies sometimes use notes and stock as compensation during the first few months when they're going into business.
- You must keep a list of all employees on file. The list must include the ages of all minors and the names and addresses of all employees.
- You have to keep payroll records for at least four years from the time you filed the returns that apply to them, or paid the taxes, whichever is later. See IRS Publication #334, Tax Guide for Small Business. You can get it free on the Web at www.irs.gov or from any IRS office.
- You must also keep employment application forms, even from people you didn't hire, for at least a year from the date of the application.

Collecting Sales Tax

For sales tax purposes, contractors are generally considered to be consumers and pay sales tax on their materials. When they sell material to their customer, they don't add sales tax as a separate item on the bill.

In some states, dealers who hold a seller's permit (sometimes called a resale license) don't pay sales tax on their materials. Instead, they collect the tax from retail customers and remit the tax collected to the taxing agency every few months. That's a nuisance. It's easier to pay the tax, consider it a cost of materials, and avoid filing sales tax returns monthly or quarterly.

I hope this discussion hasn't discouraged you. After a while, most of these laws will begin to make sense. Following them almost gets to be automatic. But it's not always cheap or easy.

In the next few chapters, I'll tell you all about the mechanics of building all kinds of fences and walls. Later in the book, I'll explain how to get your fence and retaining wall contracting business started on the right foot and how to keep it running successfully.

Online Preview

Practical References for Builders

National Estimator Cloud

Generate professional construction estimates for all residential and commercial construction from your internet browser. Includes 10 Craftsman construction cost databases, over 40,000 labor and material costs for construction, in an easy-to-use format. Cost estimates are well-organized and thoroughly indexed to speed and simplify writing estimates for nearly any residential or light commercial construction project – new construction, improvement or repair. Convert the bid to an invoice – in either QuickBooks Desktop or QuickBooks Online. Access your estimates from anywhere and on any device with a Web browser. Monthly and one-time billing options available. Visit <https://craftsman-book.com/national-estimator-cloud> for more details.

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Insurance Restoration Contracting: Startup to Success

Insurance restoration — the repair of buildings damaged by water, fire, smoke, storms, vandalism and other disasters — is an exciting field of construction that provides lucrative work that's immune to economic downturns. And, with insurance companies funding the repairs, your payment is virtually guaranteed. But this type of work requires special knowledge and equipment, and that's what you'll learn about in this book. It covers fire repairs and smoke damage, water losses and specialized drying methods, mold remediation, content restoration, even damage to mobile and manufactured homes. You'll also find information on equipment needs, training classes, estimating books and software, and how restoration leads to lucrative remodeling jobs. It covers all you need to know to start and succeed as the restoration contractor that both homeowners and insurance companies call on first for the best jobs. **640 pages, 8½ x 11, \$69.00**

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If you'd like to make good money working outdoors as a framer, this is the book for you. Here you'll find shortcuts to laying out studs; speed cutting blocks, trimmers and plates by eye; quickly building and blocking rake walls; installing ceiling backing, ceiling joists, and truss joists; cutting and assembling hip trusses and California fills; arches and drop ceilings — all with production line procedures that save you time and help you make more money. Over 100 on-the-job photos of how to do it right and what can go wrong.

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For today's contractors, legal problems are like snakes in the swamp — you might not see them, but you know they're there. This book tells you where the snakes are hiding and directs you to the safe path. With the directions in this easy-to-read handbook you're less likely to need a \$200-an-hour lawyer. Includes simple directions for starting your business, writing contracts that cover just about any eventuality, collecting what's owed you, filing liens, protecting yourself from unethical subcontractors, and more. For about the price of 15 minutes in a lawyer's office, you'll have a guide that will make many of those visits unnecessary. Includes a CD-ROM with blank copies of all the forms and contracts in the book.

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