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Editor RACHEL PINKUS



Published by: The Central States Insulation Association csia@assnsoffice.com www.csiaonline.org

The Insulator is a review of construction activity in the central states region.

The Insulator contains Industry News, Notices and Central States Insulation Association Activities.

All information contained herein is considered reliable to the best of our knowledge, and we accept no responsibility for incorrect material secured from outside sources.



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As I look out our office window, snow covers the ground and still more is coming. It seems like this has been a common scene for us the last two months, and there is no hope of warmth or sun in the near future. I guess it's a good thing we are in the insulation business and not selling ice cubes.

I just finished my registration for the upcoming NIA Annual Convention, April 2-5, in Indian Wells, California. Please take a look into the great opportunity to network with business associates, learn more about our industry, and take a break from the everyday grind back at the office. You have until March 7th to take advantage of their early bird discounts.

I would like to give special recognition to Bryan Pieh of Advanced Industrial Services to his past years of service on the CSIA board. Due to current job responsibilities, Bryan has resigned from the board. He will be greatly missed for his experience, professionalism, and hard work. We have elected Brad Viers with Advanced

Industrial Services as his replacement, and I would like to wish Brad a warm welcome.

Don't miss the upcoming CSIA seminar "How Wage and Hour Laws Affect Your Business" on March 19th by Steve Watring of Dunlevey, Mahan & Furry. Details can be found on page 13 of this publication.

Our association office is currently working on the details for the CSIA Spring Labor Conference at the Griffith Gate Resort in Lexington, KY, on April 22 and 23. Our board has decided to invite MCAO Member firms (Union Mechanical & Sheet Metal Shops in Ohio) to attend our networking events & related seminars. We hope this adds value to our membership by providing opportunities to develop relationships with your customers. Registration information can be found on pages 10 and 11 of this publication.

I hope your 2014 is off to a good start and look forward to seeing you in the near future.



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THE VOICE OF THE INSULATION INDUSTRY

President Obama Signs Farm Bill, Mandating Report on Potential Mechanical Insulation Energy Savings

On January 29, 2014, the U.S. House of Representatives passed the Federal Agriculture Reform and Risk Management Act, often referred to as the Farm Bill, by a vote of 251-166. The bill then made its way to the U.S. Senate, where it was passed on February 4, 2014 by a vote of 68-32. The bill was then sent on to the President, who signed it into law on February 7, 2014.

The Farm Bill is responsible for authorizing most of the agriculture programs in the United States. Working together with our legislative partners, the National Insulation Association (NIA) was able to include language in the bill that requires the Secretary of Agriculture to submit a report on energy use and energy efficiency projects at the Washington, D.C. headquarters and the major regional facilities of the Department of Agriculture. The report will include an analysis of energy use by the Department of Agriculture's headquarters and maior regional facilities, as well as a list of energy audits and energy efficiency projects conducted at these facilities. Lastly, the language requires the submittal of a list of energy-saving projects that could be achieved by enacting a consistent, timely, and proper mechanical insulation maintenance program, and upgrading mechanical insulation at these facilities.



This is a definitive victory for the mechanical insulation industry. This report will be a great step to show the American government and people throughout the country the impact that mechanical insulation can have not only on energy efficiency, but on cost savings throughout the governmental, commercial, and industrial sectors in the United States. It offers the opportunity to prove the tremendous benefits of insulation, with the potential to provide the hard evidence we need to bring the benefits of insulation to more audiences.

NIA would like to thank Representative Tim Bishop (D-NY), Representative Chris Gibson (R-NY), and Representative Michael Grimm (R-NY) for their efforts in introducing our amendment and getting it adopted in the version first acted upon by the U.S. House of Representatives. Their commitment and support of mechanical insulation has been paramount to our recent efforts and we look forward to continuing to work with them and ensure that mechanical their colleagues to insulation continues to receive the attention it deserves.

The NIA Foundation for Education, Training, and Industry Advancement, who worked alongside legislators to pass this legislation, promotes the benefits of insulation to outside audiences. For more information about our Foundation, please contact NIA Vice President Kristin V. DiDomenico at<u>kdidomenico@insulation.org.</u>

Actual Language Excerpted from the Farm Bill

SEC. 9015. ENERGY EFFICIENCY REPORT FOR USDA FACILITIES.

(a) REPORT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on energy use and energy efficiency projects at the Washington, District of Columbia, headquarters and the major regional facilities of the Department of Agriculture.

Continued on page 7

(b) CONTENTS.

The report required by subsection (a) shall include the following:

- An analysis of energy use by the Depart ment of Agriculture headquarters and major regional facilities.
- (2) A list of energy audits that have been conducted at such facilities.
- (3) A list of energy efficiency projects that have been conducted at such facilities.
- (4) A list of energy savings projects that could be achieved with enacting a consistent, timely, and proper mechanical insulation maintenance program and upgrading mechanical insulation at such facilities.

*Content provided by the National Insulation Association

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Each year the **Central States Insulation Association** offers college or technical school scholarships to students who are the children of or under the legal guardianship of employees of CSIA member companies.

CSIA is now accepting donations to the Scholarship Fund in the hopes that we will be able to provide even more financial aid to those seeking higher education!

At the bottom of all Invoices from CSIA and on all CSIA Event Registration Forms, you will find a place to add on an optional donation to the CSIA Scholarship Fund.

> To donate, contact Rachel Pinkus 937-278-0308 or rpinkus@assnsoffice.com



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Central States Insulation Association CSIA Spring Labor Conference and Golf Tournament mca April 22-23, 2014



The Marriott Griffin Gate in Lexington, Kentucky

Tuesday, April 22nd, 2014

3:00 - 4:00 p.m. **CSIA Board of Directors Meeting**

4:00 - 6:00 p.m. **Collective Bargaining Orientation & Refresher**

with Bob Dunlevey of Dunlevey, Mahan & Furry

This seminar is designed for anyone that is a first-timer on a negotiation committee and needs to gain the basics in labor law and labor contract negotiations. It is also an excellent refresher for more seasoned negotiators. The session will be covering the following topics and more:

- Mandatory and non-mandatory subjects of bargaining >>
- Assignment of bargaining rights >>
- Preparing To Bargain >>
- What are the differences between traditional bargaining and mutual gains bargaining >>
- Strike, lockouts and pickets >>
- Basic types of labor contract clauses >>

This seminar will give you the basics to better understand the issues and contract clauses discussed during the Labor Manual review session the next day.

6:00 - 7:00 p.m. **Reception for Registered Attendees**

Wednesday, April 23rd, 2014

7:00 - 7:30 a.m.	Registration and Full Breakfast
7:30 - 9:15 a.m.	Pension Reform, The Affordable Care Act and Joint Apprenticeship Committees with Mike Ledbetter and Rachel Parissi of Ledbetter, Parissi, Sollars
9:15 - 9:30 a.m.	Break

Construction Industry Data and Statistics

with Carey Peters of the Construction Labor Resource Council The CLRC provides comprehensive consulting and research services to national associations, association chapters, employers, contractors, owners, labor-management cooperatives, and others in the construction industry. For over 30 years CLRC has been the construction industry 's most trusted and comprehensive source of union labor cost, contract evaluation, market share, workforce demographics, and related information. CLRC 's work is objective, accurate and trusted

10:30 - 10:45 a.m. 10:45 -12:00 p.m.

9:30 - 10:30 a.m.

Break



CSIA Labor Seminar with Dave McCoy of Champaign A&K Insulation and Brad Viers of Advanced Industrial Services

MCAA

MCAA Labor Seminar 10:45 -12:00 p.m.

SMACNA **SMACNA Labor Seminar** 10:45 -12:00 p.m.

The Labor Seminars will run concurrently and each craft will be broken out into their own session and provided with a copy of their own craft 's updated Labor Manual. This invaluable resource puts important comparison data at your fingertips. In these uncertain times of economic turmoil and stagnant growth it is more important than ever to get the most out of your labor agreements. Join us for the labor conference and see how your agreement measures up to other local agreements and see wage package trends from across the region.

12:15 - 1:00 p.m. Golfers Lunch Buffet Golf Challenge SHOTGUN START 1:00 p.m.



Labor Conference & Golf Tournament Registration & Sponsorship Form

Register Online at: www.csiaonline.org



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Multi-Employer Pension Reform

CSIA is working in conjunction with MCAA and SMACNA on federal multi-employer pension reform. The initiative has been dealt some serious blows as a couple of large unions (non-building trades) have come out in opposition causing a pull back from the Democrats on the bi-partisan group working on the issue. We have this new update from Mike Ledbetter of Ledbetter Parisi and Sollars on the matter:

• The expectation is that piece of legislation sponsored by Senator Harkin will be released soon. The bill is expected to have only a negligible impact on multiemployer plans.

• A multiemployer plan-focused bill is "coming but not imminent." Republicans are working on it in the House. The hope is to see language by the end of February but there is no clear timeframe as of yet.

• There was a fair amount of discussion regarding developments with the PBGC. First, the PBGC is looking for greater partition authority, but this would be of little use to construction industry plans. There is also discussion of assigning retirement representatives to troubled plans (similar to a liaison/advocate) but those representatives would not have a vote and would defer to Trustees' judgment. Finally, the PBGC is looking for a substantial premium increase, to the tune of 15-fold <u>or more</u>. NCCMP does not support this and the speaker indicated that a one-step solution to the PBGC funding problem is very unlikely to work and is not considered to be prudent or reasonable.

• NCCMP representatives met with Senator Harkin (D-IA) to discuss the funding problems facing multiemployer plans and the PBGC. They also discussed the proposals in the "Solutions Not Bailouts Report." The meeting was significant because Senator Harkin is the Chair of the Health, Education, Labor and Pensions Committee in the Senate. Senator Harkin indicated he would meet with his counterpart in the House and discuss the hearings that have already taken place. The NCCMP representatives reminded those on the call that the Pension Protection Act was passed only after Senator Kennedy and Representative Boehner held similar meetings. A follow up meeting with Senator Harkin will include the General Presidents of several labor organizations.

• While the AARP is unlikely to ever support cuts to accrued benefits, they are apparently willing to talk with the NCCMP and others about portions of the Solutions Not Bailouts report that provide assistance to troubled plans.



[12] The Insulator February 2014

HR MANAGERS MEETING

with Steve Watring of Dunlevey, Mahan & Furry How Wage and Hour Laws Affect Your Business

Wednesday, March 19, 2014 from 11:30 a.m. - 1:30 p.m. EST

LIVE AT THE BX Dayton OR VIA THE INTERNET AS A WEBINAR (get streaming video and see the presentation on your computer while you dial in by phone for the meeting audio) BX Dayton• 2077 Embury Park Road • Dayton, Ohio 45414

The number of claims against employers over alleged wage and hour violations has skyrocketed in the past several years. These claims are particularly dangerous because employees can sue as a group, and the employer can be held liable for not only back wages, but also attorney's fees and double or even triple damages. The government is becoming more aggressive in enforcement, and many attorneys are anxious to sue over wage hour violations. The laws are more complex than you might believe. Attorney Steve Watring, a partner at Dunlevey, Mahan & Furry, will share important tips with you to help keep your company out of wage-hour trouble.

Steve will be addressing Federal Law but he will be prepared to answer any questions concerning State Law in Ohio, West Virginia, Indiana and Kentucky.

Company Name:							
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If you have an Industry Fund in your local labor agreement, this is an easy way to finance the CSIA membership dues for all firms in your area. Simply designate \$.01 per hour of your Local Industry Fund contribution to CSIA and that will automatically pay the dues for all firms in your City Association. It is a very simple process and we already have three areas that have adopted this program which include:

Insulation Contractors Association of Indianapolis Master Insulators Association of Outstate Michigan West Virginia Master Insulators Association

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September 11-13, 2014

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Your Legal Services Plan

with Bob Dunlevey Dunlevey, Mahan & Furry

WHAT IS IT?

The Association has an agreement with the law firm of **Dunlevey, Mahan & Furry** to provide its membership with legal services on a preferred basis. It is a "value-added" Association service. **Dunlevey, Mahan & Furry** is a full-service firm emphasizing corporate law, construction law, employment law, contract disputes and business litigation. If you have a question and need a quick answer, just call **Bob Dunlevey** at (937) 223-6003. The firm has operated your Legal Services Plan and has represented Association members for many years. It understands your business.

WHAT DOES IT COVER?

The primary purpose of your plan is to provide each member the opportunity to identify and discuss legal issues which confront your management team on a daily basis and to resolve those issues quickly through convenient access to qualified legal counsel knowing your business. Whether it is a question regarding a business matter, employment issues, workers' compensation, mechanic's liens, OSHA or even a real estate matter, your answer is just a telephone call away.

HOW DO I USE THE PLAN?

It is simple to call or email your inquiry to the plan administrator, Bob Dunlevey. He will address your inquiries or direct your call to one of the many attorneys in his firm. He will conveniently discuss your matter by telephone or arrange an office appointment. Your Association has arranged for each member to have one consultation per month at no expense.

STRICTLY CONFIDENTIAL

The plan has been approved by the Supreme

Court of Ohio and each member's inquiry is protected by the attorney/client privilege. The discussions are strictly confidential.

FREE MONTHLY CONSULTATION

The initial consultation is for the express purpose of identifying legal issues and responding with quick, preliminary analysis available without research and in-depth analysis. If additional services are required, the firm will make them available on a preferred basis.

MANAGEMENT TRAINING

Management training seminars are conducted at your facility on a wide variety of topics, including such things as construction claims management, supervisory training for effectively handling personnel issues, harassment prevention, unionfree manage-ment, succession planning, OSHA compliance, and workers' compensation claims management. A program tailored to the needs of Association members is available at a fraction of what you would pay consultants.

HOW DO I CONTACT THE LEGAL SERVICES PLAN?

Call Bob Dunlevey at (937) 223-6003 between the hours of 8:00 a.m. and 5:30 p.m., or email your inquiry to him at <u>rtd@dmfdayton.com</u>. Make sure to mention that you are a member of Association and are utilizing the Legal Services Plan. Start today to use this valuable membership benefit.



Polyéuard

POLYGUARD ANNOUNCES EXPANDED ENGINEERING SPECIFICATION EFFORT UNDER LEADERSHIP OF NATE BRINK

Polyguard Products, a leading employee owned manufacturer of innovative products, including vapor barrier products and corrosion resistant gels for the mechanical insulation industry has announced the promotion of Nate Brink to <u>Technical Sales</u> <u>Manager</u>. Nate joined Polyguard in 2010 and has been instrumental in increasing the presence of Polyguard's Mechanical Division products including Alumaguard[®] and RG[®] corrosion resistant gels in the mechanical engineering community. Nate's success has allowed Polyguard to add resources to increase its engineering efforts and to expand into additional markets.

In addition to his promotion, Nate has two new employees reporting to him;

Bill Ronca has joined Polyguard as Engineering Specialist. Based in Scarborough, Maine, Bill will have responsibility for engineering calls in the Northeast and developing new markets for RG products Nationwide. He comes to Polyguard from Nomaco Insulation where he was Technical Sales Manager. Prior to that, he worked for K-Flex USA as Product Manager and W.R. Grace in various technical and marketing roles. Bill has BS and MBA degrees from the University of Massachusetts.

Dick Smith has joined Polyguard as Engineering Specialist. Based in Houston, Texas, Dick will have responsibility for engineering calls in the Southwest and on the West Coast. He comes to Polyguard from Dyplast where he was Senior Specification Manager. Before that he was with Resolco as Sales Manager. He has a BA in Marketing from St. Martin's College in Olympia, Washington.

Polyguard Products is an employee-owned company based in Ennis, Texas is a leading supplier of waterproofing, vapor retarders, and corrosion-protection products sold into the mechanical insulation, architectural and pipeline industries in North America, and internationally.

For more information visit www.polyguardmechanical.com



Bill Ronca, Nate Brink, Dick Smith

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AFFORDABLE CARE ACT UPDATE FOR EMPLOYERS

Delay of Employer Penalty - For Some... Employer Penalty Postponed for Smaller Employers

On February 10, 2014, the employer mandate was once again delayed, at least for some employers, with the issuance of new guidance.

Pursuant to the newly released guidance, the employer responsibility provision will generally apply to larger companies with *100 or more full-time employees* as scheduled in 2015.

The big change, however, is that for companies with *at least 50 but less than 100 full-time employees,* the employer responsibility provision will not apply until 2016. Certification is required for companies operating at the "at least 50 but not more than 100 full-time employees" level to take advantage of the delay.

Another notable change is that, under the new guidance, to avoid the penalty for failing to offer coverage, employers need only offer coverage to 70% of their full-time employees in 2015. Recall that the original rules required that coverage be provided to *95%* of full-time employees. The 95% level will be reinstated for 2016 and beyond.

Perhaps most importantly, the multiemployer transition rule apparently applies indefinitely under the new guidance. Under the multi-employer transition rule, employers will *not* be subject to the employer penalty for failing to provide health coverage so long as:

(1) The employer is required to make contributions for some or all of its employees under a CBA *or appropriate* *related participation agreement (*italicized portion is new);

- (2) The required contributions go to a multiemployer plan that offers coverage to those who meets its eligibility conditions;
- (3) The multiemployer plan has coverage that is affordable and meets minimum value; and
- (4) The multiemployer plan offers coverage to its eligible employees' dependents.

Understandably, most employers were pleased to learn about the February 10th guidance!

Exchange Notices

With all of the excitement of the employer mandate delay, keep in mind that there is still an ongoing obligation to issue a Marketplace Exchange Notice to all new employees within the first 14 days of hire. This includes even those who previously received the notice from another employer in 2014.

The Central States Insulation Association is pleased to provide its members with a complimentary update on recent developments with the Affordable Care Act. The article provides general information regarding the Act with an emphasis on impact on employers.

To date, changes to the Act and its implementing guidance have been dynamic. As a result, regular review of requirements and developments is important.

Prepared by: Ledbetter, Parisi, Sollars LLC 9240 Marketplace Drive Miamisburg, OH 45342 www.fringebenefitlaw.com

This article does not constitute legal advice nor create an attorney-client relationship and is for general information only.



CENTRAL STATES INSULATION ASSOCIATION

MEMBERSHIP APPLICATION

APPLICANT INFORMATION

_						
	lephone:					
	ntact Name:					
En	nail:		Website:			
ТΥ	PE OF MEMBERSHI	P REQUEST	ED (check only one)			
	Contractor	\$385.00	Insulation Abatement Unionized Merit			
	Distributor/Fabricator Associate Engineer/Specifier	\$385.00 \$473.00 \$55.00	Manufacturer Sales Manufacturing Representative			
	PPLICANT INFORMA ase Answer the following que	-	may get to know you better, and feel free to use additional sheets is necessary.			
1.	Type of Work in which	your company	is engaged:			
2.	. Length of time company has been in business; date established:					
3.	Primary geographic area of operation:					
4.	Brief history of compar	ıy:				
5.	Identify Principals of C	ompany and T	itles:			
6						
0. 7.	Number of Employees:					
	 Labor Organizations representing your employees:					
0.	is your company a me					
anc terr	l when approved by the asso ninate it only in writing, and c	ciation's Board of nly after all obliga	o the Bylaws governing such membership. It is understood and agreed that, if Directors, the applicant shall maintain membership in good standing and shall tions to the association have been met. The undersigned company and its anditions of the association's bylaws.			
Me	embership Proposed by:	Existing CSIA Me	mber			
Sig	Signature of Applicant: Date:					
	ke dues check payable to yment via Visa, MasterCa		n with application. I American Express are also accepted.			
Ca	rd Number		Expiration Date			
Na	me on Card		Authorized Signature			

Send back completed form and payment to:

FAX: (937) 278-0317 or MAIL: 2077 Embury Park Road - Dayton, Ohio 45414



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