BNA Construction Labor Report
Five Ideas for Fixing Unionized Workers’ Pension Crisis

Legally Speaking
READY, SET, NEGOTIATE!

CSIA SPRING CONFERENCE
Griffin Gate Lexington Kentucky

Representing the Region’s Mechanical and Specialty Industry
WEATHER THE STORM
CUSTOMER-DRIVEN INNOVATION

Thermo-1200™ Calcium Silicate

Our new, water resistant Thermo-1200 inhibits water absorption. This allows additional time and flexibility to install the jacketing should you ever get caught in the rain.

- Water-resistant calcium silicate sheds water to protect the product from the rain
- Offers metal crews more time to install the jacketing when a storm passes through*
- Provides flexibility that can save time and money during installation
- Includes XOX Corrosion Inhibitor® to help inhibit CUI

* See data page for complete details
February 2018

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Spring Labor Conference
Marriott Griffin Gate Lexington
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Ledbetter Parisi llc

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Save the Dates
Spring and Fall Conferences

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Save the Dates
Spring and Fall Conferences
Recalling an old quote by Mark Twain who said...”Buy land, they’re not making any more of it.” Our country’s freedom, success and prosperity are all derived from basic resources……our ingenuity and technology, our material resources that come from our land and the (most important attribute) - the hard work and labor of our great people. Mark Twain’s quote reminds us that of our valued resources – our land resource is limited. Our ingenuity and technology are only limited by our own rules, regulation and politics – one could surmise that this resource can be unlimited (it truly is up to us to uncap it). As the new year is well under way, and our economy is moving into high gear, our Insulation Industry is seeing the effects of this economic prosperity. Our insulation factories across the country can add capacity and machines to chug out more insulation product to meet the growing demand (which they are HAPPY to do!). Our most important resource and one of highest concern for meeting this demand is the fine craftsmen and craftswomen available to install this “wonder product” insulation. After surveying locals in the Central States region, the findings are those which need our attention. To fulfill the Insulation needs in our region, will require a strong, flexible, trained workforce - ready and able to support our contractors.

Today’s economy and current competition require Union Insulation Contractors to develop a common vision with our partners at International Association of Heat & Frost Insulators to succeed and collectively grow our industry. Together we can move from a position of surviving to a solid foundation of THRIVING by: addressing our weaknesses, promoting our strengths, eliminating our threats and capitalizing on our opportunities. Some of the opportunities in front of us are:

- Considering the economic consequence of our shrinking ranks (at each Local) thru enhanced recruitment of new apprentices and organizing – increasing the Actives trend at each local
- Supporting higher levels of training at the Local JATC centers spread across our region
- Flexible and mobile workforce thru improved portability across locals to better meet regional Local needs (NUICA) – allowing more than 1 or 2 insulators across jurisdictions
- Improve Health & Safety programs from EVERY company – Safety Management & Training
- Improve Quality of insulation installations from every company and every insulator to ensure our Union Insulation success – selling the “Union Insulation Quality Difference”
- Improving competitiveness against Non-union by negotiating labor contracts with less - restrictions, work rules and regulations not found in Non-union companies
- Ensuring fully funded Pensions at every Local. Unfunded Liability of Local Pensions is the single biggest deterrent to Organizing. Of all 16 Locals in Central States – every Local has Unfunded Pension Liability. Many are defined by the D.O.L as “Critical”. Some “Critical & Declining” – in a “Death Spiral” (as called by the DOL) facing insolvency within 5 years.
- Shining a spotlight on the Ugly side of “Value Engineering” and its degradation of our industry
- Promote and sell the Value of Union Insulation Labor vs Non-Union Insulation:
  - Union Insulation Quality is far superior
  - Union Insulation Companies are Safer (many studies to prove)
- Union Insulation Companies deliver on time
- True cost of Non-Union Insulation – poor quality (mold, burns), worker accidents, project delays (“you get what you pay for”)

Please join me, your competitors, your material suppliers, your insulation manufacturers, your industry professionals (legal, pension, healthcare, etc.) and your Local/International Union Representatives at the upcoming CSIA Spring Labor Conference April 24-25 in Lexington Kentucky. Provide your input, engage in discussion from work groups from across our entire region: Indiana, Illinois, Ohio, Michigan, Kentucky, Pennsylvania and Tennessee.

We can hope for change and “business as usual” OR we seize this opportunity to grow our Union Insulation Industry. We sincerely look forward to your participation! April 24th & 25th.

Your President,

Mike O’Connell
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Blankets

Boards

Paper

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- CUI protection
- Vapor Barriers
- Insulation

214-515-5000
Mechanical Division

For a complete list of products, visit www.Polyguard.com/mechanical
Register Today!
For the 2018 CSIA Spring Labor Conference

This year the CSIA Spring Labor Conference will be held April 24-25, 2018, at The Marriott Griffin Gate located in Lexington, Kentucky. No matter where you are coming from, it’s easy to find and convenient to I-75, I-264, I-64 as well as the Cincinnati, Lexington, and Louisville International Airports.

The Marriott Griffin Gate is a first-class, full-service resort designed to capture the atmosphere and adventure of Bluegrass Country.

Marriott amenities include complimentary wireless high-speed internet within public areas, complimentary on-site parking, JW’s Steakhouse and Lounge, The 19th Hole Restaurant, Starbucks, indoor and outdoor swimming pools, a fitness center, and Spa. Nearby activities include biking trails, bowling, horseback riding, jogging trails, volleyball and tennis. Nearby family and children’s activities include the Keeneland Race Track, The Kentucky Horse Park, The Explorium of Lexington, and The Lexington Ice Center and Sports Complex.

Golfers will enjoy The Griffin Gate Golf Course which is set on 250-acres that embody the tradition of gracious Southern hospitality. Renowned architect Rees Jones, son of the revered Robert Trent Jones, sculpted this very fast track from the rolling hills of Kentucky bluegrass country. This course has a 4-Star Rating from Golf Digest and was 2008-2009 “Best Places to Play” Recognition from Golf Digest.

Learn More
about the Lexington, Kentucky area and this fabulous resort and golf course, go to http://www.marriott.com/hotels/travel/lexky-griffin-gate-marriott-resort-and-spa/
Company Name ____________________________________________________________________________________________________

Full Name ________________________________________________________
First Name for Badge ______________________________

Title ______________________________________________     Email _________________________________________________________

Company Address ____________________________________________________________________________________________________

City ______________________________________  State _______   Zip ____________  Country __________________________________

Work Phone ____________________________________________    Cell Phone  _______________________________________________

Contractor Conference Registration

<table>
<thead>
<tr>
<th>Membership Type</th>
<th>Member</th>
<th>Non-Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor FULL Registration</td>
<td>$475</td>
<td>$575</td>
</tr>
<tr>
<td>Includes Reception, all educational sessions, golf, breakfast, lunch and beverage cart tickets.</td>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Membership Type</th>
<th>Member</th>
<th>Non-Member</th>
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</thead>
<tbody>
<tr>
<td>Educational Sessions ONLY Registration</td>
<td>$350</td>
<td>$375</td>
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<tr>
<td>Includes Reception, all educational sessions and breakfast.</td>
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<table>
<thead>
<tr>
<th>Membership Type</th>
<th>Member</th>
<th>Non-Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor GOLF ONLY Registration</td>
<td>$175</td>
<td>$225</td>
</tr>
<tr>
<td>Includes Reception, golf, lunch and beverage cart tickets.</td>
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<table>
<thead>
<tr>
<th>Membership Type</th>
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<tbody>
<tr>
<td>Contractor RECEPTION ONLY Registration</td>
<td>$100</td>
<td>$150</td>
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<tr>
<td>Includes Reception Only!</td>
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Associate Conference Registration

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<tbody>
<tr>
<td>Associate FULL Registration</td>
<td>$650</td>
<td>$750</td>
</tr>
<tr>
<td>Includes Reception, golf, breakfast, lunch and beverage cart tickets for one person as well as one 6 foot draped tabletop and signage with recognition in pre and post-conference materials.</td>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Membership Type</th>
<th>Member</th>
<th>Non-Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Associate FULL Registration NO GOLF</td>
<td>$475</td>
<td>$575</td>
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<tr>
<td>Includes Reception, breakfast, and lunch for one person as well as one 6 foot draped tabletop and signage with recognition in pre and post-conference materials.</td>
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<table>
<thead>
<tr>
<th>Membership Type</th>
<th>Member</th>
<th>Non-Member</th>
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</thead>
<tbody>
<tr>
<td>ADDITIONAL Associate Registration</td>
<td>$100</td>
<td>$150</td>
</tr>
<tr>
<td>Can only be purchased in addition to a Full Registration. Includes Reception Only.</td>
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<td></td>
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<table>
<thead>
<tr>
<th>Membership Type</th>
<th>Member</th>
<th>Non-Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Associate GOLF ONLY Registration</td>
<td>$175</td>
<td>$225</td>
</tr>
<tr>
<td>Includes golf, lunch and beverage cart tickets.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Subtotal A $ ________________________

Sponsorship Opportunities

Includes Recognition on CSIA Social Media, in Event Program, Signage, Pre and Post-Conference Materials and a Sponsor Ribbon on Name Badge.

<table>
<thead>
<tr>
<th>Sponsorship Type</th>
<th>Member</th>
<th>Non-Member</th>
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</thead>
<tbody>
<tr>
<td>Full Page, Full Color Ad in the Conference On-Site Program</td>
<td>$125</td>
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</table>

<table>
<thead>
<tr>
<th>Sponsorship Type</th>
<th>Member</th>
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</thead>
<tbody>
<tr>
<td>An Individual Hole Sponsor</td>
<td>$125</td>
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<table>
<thead>
<tr>
<th>Sponsorship Type</th>
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</thead>
<tbody>
<tr>
<td>Longest Drive Sponsor</td>
<td>$150</td>
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<table>
<thead>
<tr>
<th>Sponsorship Type</th>
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<tbody>
<tr>
<td>Closest to the Pin Sponsor</td>
<td>$150</td>
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<table>
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<tr>
<th>Sponsorship Type</th>
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<th>Non-Member</th>
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</thead>
<tbody>
<tr>
<td>Conference Audio/Visual Sponsor</td>
<td>$250</td>
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<tr>
<th>Sponsorship Type</th>
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<th>Non-Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Golf Beverage Cart Sponsor</td>
<td>$350</td>
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<table>
<thead>
<tr>
<th>Sponsorship Type</th>
<th>Member</th>
<th>Non-Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reception Food Sponsor</td>
<td>$500</td>
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<table>
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<tr>
<th>Sponsorship Type</th>
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<th>Non-Member</th>
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</thead>
<tbody>
<tr>
<td>Reception Beverage Sponsor</td>
<td>$500</td>
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<table>
<thead>
<tr>
<th>Sponsorship Type</th>
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</thead>
<tbody>
<tr>
<td>Breakfast Sponsor</td>
<td>$500</td>
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<table>
<thead>
<tr>
<th>Sponsorship Type</th>
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<th>Non-Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Golf Lunch Sponsor</td>
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<table>
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<tr>
<th>Sponsorship Type</th>
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</thead>
<tbody>
<tr>
<td>Golf Outing Prize Sponsor</td>
<td>$500</td>
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<tr>
<th>Sponsorship Type</th>
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</thead>
<tbody>
<tr>
<td>Logo Button Link on the CSIA Website for 1 Year</td>
<td>$500</td>
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Subtotal B $ ________________________

Total Payment Due

<table>
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<tr>
<th>Payment Method</th>
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<tbody>
<tr>
<td>Check to CSIA</td>
<td></td>
</tr>
<tr>
<td>Visa</td>
<td></td>
</tr>
<tr>
<td>MC</td>
<td></td>
</tr>
<tr>
<td>AmExp</td>
<td></td>
</tr>
<tr>
<td>Discover</td>
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<table>
<thead>
<tr>
<th>Card #</th>
<th>Exp. Date</th>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Name on Card</th>
<th>Billing Zip Code</th>
</tr>
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</table>

Cancellation Policy

All cancellations must be received in writing. A $15 processing fee applies to all cancellations. No refunds will be given after April 16, 2018.

All refunds will be processed after the conference.
2018 CSIA Spring Labor Conference Schedule of Events

Monday April 23, 2018
3:00 PM  CSIA Board of Directors Meeting

Tuesday April 24, 2018
7:30 AM  Registration and Full Breakfast
8:00 AM  Welcome from CSIA President, Mike O’Connell
8:15 AM  Area Reports by Local
9:15 AM  Growing our Shrinking Ranks – Recent Trends and Current Needs
          • Current Active Members
          • Manpower Needs
          • Enhanced Recruitment of New Apprentices – Hiring at Contractor Level
          • Organizing
10:00 AM Creating a Flexible and Mobile Workforce through Improved Portability - NUICA
10:45 AM Improving Health & Safety Programs for EVERY Company
11:30 AM Selling the “Union Insulation Quality Difference”
          Improving the quality of insulation installations from every company and every insulator to ensure our Union Insulation success.
12:00 PM LUNCH
12:30 PM Improving Competitiveness Against Non-Union by Negotiating Better
          Negotiating labor contracts with fewer restrictions, work rules and regulations not found in Non-union companies
1:30 PM  Ensuring Fully Funded Pensions at Every Local
          Unfunded Liability of Local Pensions is the single biggest deterrent to Organizing. All of the Locals in the Central States territory has Unfunded Pension Liability. Many are defined by the D.O.L as “Critical” while some are “Critical & Declining” or in a “Death Spiral” where they are facing insolvency within 5 years.
2:45 PM  BREAK
3:00 PM  Supporting Higher Levels of Training at Your Local JATC
3:30 PM  Shining a Spotlight on the UGLY side of Value Engineering & its Degradation of our Industry – The true cost of VE
4:00 – 6:30 PM Reception for Registered Attendees
          Vendor Tabletop Displays and 50/50 Raffle for the Scholarship Fund
Evening  Dinner on your own

Wednesday April 25, 2018
8:30 AM  Registration and Full Breakfast
9:00 AM  “Where do We Go From Here?”
          A re-cap of Action Items that came out of the previous day’s discussions and the creation of a plan moving forward.
12:00 PM Golfers Lunch Buffet
1:00 PM  Golf Challenge SHOTGUN START with Money Hole
REQUIRED MINIMUM DISTRIBUTIONS & RETURNED MAIL

The IRS and DOL recently have made Required Minimum Distributions (RMDs) a target of their audits. As you will recall, a participant must begin receiving benefit payments no later than April 1st following the year he turns age 70 and 1/2. An obvious indication that an RMD was not made is returned mail. Therefore, retirement plans need to ensure that they have procedures in place to address returned mail. The procedures should include:

- Reviewing the file to check for an alternative address;
- Sending certified mail to the last known address and attempting to contact the participant via telephone or e-mail; and
- If necessary, hiring a commercial locator service.

Those steps, at minimum, are required in the eyes of the IRS for a plan to satisfy the RMD requirements. Retirement plan sponsors should ensure that their plans are taking the necessary steps to satisfy the RMD requirements when a mail is returned to the fund office.

DEPENDENT CHILDREN AND MATERNITY BENEFITS

A common question among health plan sponsors is whether a health plan needs to provide maternity benefits for dependent children. With the ACA extending dependent child coverage to age 26 and with maternity benefits being expensive (between $30,000 - $50,000 per pregnancy), it is certainly a legitimate concern. Non-grandfathered plans are required to cover many prenatal services as part of preventive care for all plan participants. However, health plans are not required to cover labor and delivery costs for dependent children. Labor and delivery costs comprise the large majority of maternity care costs. Plan sponsors should consult their plan professionals to determine if covering dependent maternity care is appropriate for their plans.

PLAN POINTER

Strengthen E-mail Security Practices

While high-profile hacking cases dominate news headlines, the fact is that two-thirds of all malicious software is introduced via email. Plan employees unintentionally open the door and compromise sensitive plan data. Commercial email filtering programs can mitigate, but not eliminate, this risk. Anyone with access to participant and plan data should be trained to recognize and avoid suspicious emails. Simple clues such as misspellings, poor grammar, and unusual wording should not be ignored. Recipients should be encouraged to telephone and verify the legitimacy of emails before opening any attachments or following links. This is an inconvenience, but it can help avoid significant and expensive problems.

Questions?

If you have any questions about the material contained in this newsletter or any employee benefit questions, contact one of our experienced attorneys.

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ledbetter@fringebenefitlaw.com

Rachel Parisi
rparisi@fringebenefitlaw.com

Sarah Hicks
shicks@fringebenefitlaw.com

Rena Sauer
rsauer@fringebenefitlaw.com

Jennie Arnold
jarnold@fringebenefitlaw.com

Ledbetter Parisi LLC practices exclusively in the area of Taft-Hartley employee benefits and is one of the country’s largest Taft-Hartley law firms. This newsletter is a periodic publication of Ledbetter Parisi LLC and should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only and are not intended to consult your own advisor about your current situation and any specific legal questions you may have. Many states require that law firms add the statement “THIS IS AN ADVERTISEMENT” on publications of this nature.
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- Billy G.
  Product Engineer, 24 Years

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MCI-RIDGLOK.com

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- Small Crew Size
- Minimal to NO Welding
- Minimal Specialty Tools
- No Scaffolding
- Pre-Fabricated Panel
- High Wind Designs
- Longest Lifespan
- Easy Repairs
- Minimum Maintenance
- Freeze Protection
- Strong Weather Barrier

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ISOCOVERS Pipe & Valve Insulation Systems
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SureShot II changes your concept of pin welding...times TWO. Be it Cupheads, Weld Pins, or even Weld Studs -- SureShot II can deliver. With updated Hybrid Technology and Dual Operating Power, SureShot II uses the best of all worlds to provide Capacitor Discharge fastener welding second to none. In the lightweight and rugged packaging you’ve come to expect from SureShot (weighing in at 18 lbs.) this Welder has the power to weld virtually any Stud fastener known to the CD application market: with only 110volt (or 220volt incoming power). User-friendly, the system offers multi-level safety and operational designs to get the job done quickly, safely and reliably --- truly delivering the power of “II”.

Your SINGLE SOURCE
Insulation Fastening StudWelding Specialists

1-800-852-8352 • 450 Richard Street • Miamisburg, Ohio 45342 • midwestfasteners.com
READY, SET, NEGOTIATE!

Are you really ready to go to the bargaining table? It takes some hard work to get prepared.

Scrutinize the contract closely with your key staff to identify needed areas of change and then formulate your proposals.
It takes some hard work to get prepared. If you haven't done your homework before you get to the table, you probably will be disappointed with the results. So, here are a few hints on how to get started. Keep this checklist handy!

• Are you going to engage in multi-employer bargaining, coordinated bargaining or are you going to go it alone? Consider your alternatives as soon as possible because getting into and out of multi-employer groups take time.

• Have you previously assigned your bargaining rights to an association? What are the terms of any past assignment and any future assignment you may wish to execute? Are you bound by whatever they negotiate? Have you signed letters of assent in foreign jurisdictions which need to be voided out?

• Do you know the deadline for giving contractual and legal notice to the union and the Federal Mediation and Conciliation Service? Mark the deadlines on your calendar now after checking your contract expiration clause – give both notices at the same time.

• Do you have a NLRA Section 8(f) pre-hire bargaining relationship or a permanent Section 9 relationship? If it is a pre-hire agreement you may wish to consider not bargaining at all. It depends on unfunded vested pension liabilities mostly.

• How has the current collective bargaining agreement treated you during the last term of the contract? Does it need some changes? Have you lost your competitiveness because of certain provisions, such as daily overtime or excessive benefit packages? – Scrutinize the contract closely with your key staff to identify needed areas of change and then formulate your proposals.

• What is your current business status? Does it demand some major changes in your bargaining philosophy? Can you afford a strike – even for a week? Can you afford to give in to the union’s demands one more time without causing serious harm to your company?

• Are there some significant changes anticipated for your business in the next two or three years which require changes to the bargaining agreement - sale, expansion or change in business direction?

• Have there been grievances and arbitrations over contract disputes which need to be avoided in the next contract term by making language changes? Have there been unfair labor practices or court disputes to address?

• What is the financial status of your health and welfare and pension funds – unfunded liabilities and need for additional contributions?

• Have you spoken to the management trustees about the status of the funds? Do you need changes to your health and welfare plans?

• Do you have an effective set of work rules? Do you negotiate the rules or did you reserve the right to make and use work rules through your managements’ rights clause?

• Have you gathered some current trade journals and other types of publication articles related to your industry to support the arguments you make at the bargaining table in support of the changes in wages and terms you are requesting?

• Have you picked the right team to help you bargain your contract? Are they adequately trained to meet the challenges?

Don't delay in starting your preparation for bargaining. Most believe that preparation should start at least six months before contract expiration. Good Luck and Good Hunting!

If you have questions about collective bargaining use your legal services plan and call Bob Dunlevey (937) 641-1743 – now at Taft/Law.
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Finally, a PIR rated for plenum areas.

- Meets 25-50 ASTM E84 flame/smoke rating up to 1.5” thickness
- No ozone depleting blowing agents
- Same great k-Factor and R-value as TRYMER® 2000XP
- 2 lb/ft³ density
- Gray color

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Multiple Insulation Solutions, One Manufacturer, Global Reach
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CSIA SPRING LABOR CONFERENCE & SYMPOSIUM

APRIL 24TH - 25TH 2018
GRIFIN GATE MARRIOTT RESORT & SPA
1800 NEWTOWN PIKE
LEXINGTON KY 40511

REGISTER NOW

CSIA • ESICA FALL CONFERENCE

SAVE THE DATE

SEPTEMBER 6TH - 8TH 2018
THE WESTIN SAVANNAH HARBOR GOLF RESORT & SPA
1 RESORT DR SAVANNAH, GA

csiaonline.org
CENTRAL STATES INSULATION ASSOCIATION
MEMBERSHIP APPLICATION

APPLICANT INFORMATION

Company Name: _______________________________________________________________________
Address: ______________________________________________________________________________
City, State & Zip: _______________________________________________________________________
Telephone: ___________________________________ Fax: __________________________________
Contact Name: _________________________________________________________________________
Email: _______________________________________
Website: _______________________________

TYPE OF MEMBERSHIP REQUESTED (check only one )

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Five Ideas for Fixing Unionized Workers’ Pension Crisis

Federal lawmakers are once again trying to come up with a way to protect the pensions of more than one million unionized workers.

By: David B. Brandolph
This time it’s Senator Sherrod Brown (D-Ohio) and Rep. Richard Neal (D-Mass.) throwing out a proposal for fixing what’s known as multiemployer pensions. The pair introduced legislation in both houses Nov. 16 that they say will keep the multiemployer system afloat.

Their bills came the same day the Pension Benefit Guaranty Corporation—the federal agency that serves as a backstop for pension plans—released a report saying the agency is running a $65.1 billion deficit for its multiemployer pension program. The agency said it’s likely to be insolvent by 2025.

The legislation by Brown and Neal, called the Butch Lewis Act, is one of at least five proposals being batted around to try and fix the multiemployer pension system. More than 100 pension funds covering workers in unionized industries face insolvency in the coming years.

A law from 2014, the Multiemployer Pension Reform Act, was intended to fix the troubled pension system, but it hasn’t quite done the job. Lawmakers, as well as major employers such as United Parcel Service, have thrown out proposals for fixing the pension system. Almost all of the proposals call for some sort of loan program for the plans.

Here’s a look at the five proposals:

1. The Butch-Lewis Act

The Butch Lewis Act would create the Pension Rehabilitation Administration, a new federal office within the Treasury Department that would sell bonds to financial institutions to raise money to fund loans to financially troubled plans. The idea comes, in part, from a proposal from the International Brotherhood of Teamsters.

Those loans would be for 30 years and carry low interest rates of about 3 percent. Plans would use the loans to pay benefits and to make long-term low-risk investments. Plans would be required to make only interest payments for the first 29 years. In the final year, they would repay the entire principal and the remaining interest owed.

The legislation would require Congress to provide funds to the PBGC to be used for financial assistance to plans than can’t borrow enough to meet their retiree obligations.

**Bottom Line:** The bills are seen as a first step toward further negotiations, but any proposal that may be viewed as putting government money at risk may be a long-shot in the current Congress.

2. UPS Loan Proposal

UPS has a proposal that would provide up to three successive low interest long-term federal government loans to troubled pension plans to cover their cash flow shortage for 5 years each.

Plan participants would see benefit cuts of up to 20 percent across the board. Plans would be obligated to begin interest-only repayments after 5 years. Loan repayments would be ensured through the creation of a risk reserve pool funded by employers, participants, and unions.

UPS has a significant interest in solving the pension crisis. It could be on the hook for up to $4 billion in plan contributions if the 400,000-member Central States, Southeast and Southwest Areas Pension Fund becomes insolvent. That fund is projected to be insolvent by late 2024.

**Bottom Line:** The proposal has been viewed by some as conceptually good, but there are concerns that its use of overly generous assumed interest rates for repaying loans pose a risk that plans would face future insolvency. In addition, despite being circulated for months, it has yet to find a backer in Congress.

3. New Design From NCCMP

The National Coordinating Committee on Multiemployer Plans, a group made up of employers...
and unions, has circulated a proposal that would have the U.S. Treasury provide long-term, low-interest loans to plans that couldn’t clear the MPRA’s hurdles and are at substantial risk of insolvency. The NCCMP lobbied for passage of the MPRA.

In general, the loan program would lend funds to qualifying “critical and declining” status plans at 1 percent interest for 30 years. The loans would be interest only for the first 15 years, and then require a level payment of principal and interest for the remaining 15 years. To be eligible for a loan, plans would need to show they can achieve solvency and repay their loans.

The proposal would also require the loan account to be returned to the government in the event of an insolvency or a mass withdrawal of employers.

**Bottom Line:** The NCCMP was able to push Congress to pass the MPRA three years ago, so it may have the best shot among the other proposals to gather interest in Congress. Its odds still appear to be long.

**4. Funding From Credit Union Profits**

The proposal from the American Families for Pension Security, based in Kingston, N.Y., would also have the U.S. Treasury issue low interest loans to plans in critical and declining status.

The group wants to create a federally chartered special-purpose credit union for the more than 10 million members of multiemployer plans and their families. The credit union would use its profits from loans and credit card operations to build a reserve pool to help plans repay and secure the loans.

The group, founded by Mark Greene, a New York State Teamsters Pension Plan member, and Mike Dardzinski, a Rochester, N.Y., lawyer whose father is a retiree-member of the plan, intends to create within 15 years a credit union with $10 billion in assets and 650,000 members.

**Bottom Line:** The group has been in discussions with lawmakers in an attempt to link its credit union creation idea to other proposals involving plan loans.

**5. KOPPA Bill Not Advancing**

There’s one piece of legislation that’s been lingering for quite some time, and it doesn’t include the loan proposals being tossed around by others.

Bernie Sanders (I-Vt) in the Senate (S. 1076) and Marcy Kaptur (D-Ohio) (H.R. 2412) in the House have a bill known as the Keep Our Pensions Promises Act. KOPPA would repeal provisions of the MPRA that allow for the reduction of retiree benefits and create a legacy fund for troubled plans and the PBGC.

The legacy fund would be offset by modifying two types of tax shelters—one for investors in art works and real estate and the other for very large estates.

**Bottom Line:** Neither the Senate nor House version has gained much traction and has no support from Republicans.
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