MBCEA News & Updates - August 2016

Message from the President

I have a confession to make. Although I believe strongly in the importance of AC478, I did not make the time or prioritize it within my company until recently. I have been living this program for a few years now; providing input to the development of the actual criteria, helping to roll it out, etc. Yet, I had not submitted my own application. Embarrassing, huh?

If you are like me, you have good intentions but the pressures of running our projects, bidding new jobs, managing our business and squeezing in time for family and friends gets in the way. Well I am proud to report I am done! I got my paperwork together, submitted my application, paid my fee, scheduled my inspection, etc. I was assessed by Sandi McCracken and I am happy to report - we passed!

Why is it those things we think are going to be so hard, really are not? You know they are the right thing to do but you dread doing them. BUT, once you do, you knock yourself upside your head and say what was I worried about. I got this!

If you are like me, and I know many of you are, you are putting off AC478. In your heart you know it will be good for you but maybe you will get to it tomorrow or next week. The time is now. We have a tiger by the tail. Projects are being spec'd, manufacturers are encouraging it. You don't want to be the last to the party.

Jackie is working with about 30 companies to get their paperwork in order. The MBCEA is providing this support free to members but will not be able to do this forever. Contact her at jmeiluta@Comcast.net to set up your personalized training. Don't put it off, you got this!

Regards,

Mike Reynolds
President, MBCEA
mike@scisteel.com

P.S. Looking forward to seeing you at Metalcon. We are offering two training sessions. Josh Quinter will present on leadership and Jackie will do a workshop on AC478.
Welcome New Members!

Applied Testing & Geosciences, LLC
Craig Joss
401 E. Fourth St, Bldg 12B
Bridgeport, PA 19405
610-313-3227
610-313-9667
info@appliedtesting.com
www.appliedtesting.com

Butler Manufacturing
Juliana Keegan
36550 Chester Road #704
Avon, OH 44011
330-671-9729
jdeegan@butlermf.com
www.butlermf.com

Henry Gurtzweiler, Inc.
Greg Myers
921 Galena Street
Toledo, OH 43611
419-729-3955
419-729-5500 fax
greg@henryasteel.com
www.henrygurtzweiler.com

Prime Cut Construction LLC
Tim Sarkkinen
21605 NE 10th Avenue
Ridgefield, WA 98652
360-921-8066
Tims.pccllc@gmail.com
www.primecutconst.com

Message from the Executive Director

We have added a new feature to the website. We created a forum where you can blog, post questions, get answers from our members, etc. From the main menu of www.mbc ea.org, simply click the tab marked FORUM on the horizontal menu. You will have to log in as a member in order to start a topic or post on one. Non-members (guests) can only read the topics. All MBCEA members in good standing have a log-in ID for this section that also works for the "members only section". If you are unsure of your ID, just call or email and I will help you.

Members are encouraged to post topics they want to discuss, questions they're looking for help with from other members, or anything that is on your mind.

Don't forget there is a separate classified ads section for posting things such as an available crew, looking for work, equipment for sale, etc. The Classifieds are free to members and a small fee to non-members. If you are interested in this section, please contact me.

Thank you. I am looking forward to seeing you at Metalcon. Don't forget MBCEA members register for the show floor for free. There is a link below for your
convenience.

Sasha Graver  
Executive Director  
Metal Building Contractors & Erectors Association  
484-239-3337  
sgraver@mbcea.org

Chapter News

The New England Chapter invites all to join us on 9/22 for an interactive workshop with Jackie Meiluta on the AC478. Together we will discover everything we ever wanted to know about this exciting new program and leave prepared to submit our applications.

SAVE THE DATE: 10/20 - Bowling Night for Charity at PlNZ in Milford, MA

Thank you to David Leinbach of Martin Construction for hosting and presenting Successful Project Management to the Mid-Atlantic members in July. It was found to be very beneficial and met with rave reviews!

The Mid-Atlantic Chapter invites you to attend Metalcon in Baltimore, MD from October 26-28. Board member, Josh Quinter, will present "Documenting Your Project to Get Paid" 11 am 10/26 and 10 am 10/27. Also, Jackie Meiluta will help all attendees prepare to apply for AC478 on Friday morning, 10/28. Contact Sasha at aae_sasha@msn.com to register.

The Carolinas Chapter is excited to announce its Educational Class "How to Inspect Metal Buildings" on September 29, 2016. Our speaker, Kevin Adams, is a Consulting Engineer that specializes in Metal Building Design and Construction and the target audience is Building Code and Inspection Officials.

This session will be a great opportunity to interact with peers all across North and South Carolina, discuss common issues, and gain great insight on Engineering, Construction, and Manufacturing of Metal Building Products. Contact Meredith at carolinas@mbcea.org for more information.

10:30 am - 1:00 pm  
Charlotte Motor Speedway  
Concord, NC 28027

The Greater Ohio Chapter invites you to "like" their facebook page to stay current with the chapter's events!
Save the date! MBCEA members receive a free pass to the show floor! Great educational offerings!

CLICK For more information

Conference 2017

May 18-20, 2017
New Orleans Downtown Marriott at the Convention Center

Stay Tuned for more information!

AC478 - Prove Your Excellence: Earn the Metal Building Assembler AC478 Accreditation

Accreditation is used worldwide to verify the competence of companies and organizations. It involves a formal assessment performed by a third-party (accrediting organization) to determine if a company or entity has demonstrated competence and meets specified requirements to perform specific tasks.

The MBCEA worked hard to ensure a program that did not set the bar so high that only the elite, large firms could qualify but neither so low that the program is meaningless. Erectors that are committed to Safety, Training and Education should qualify. The MBCEA will help you.

The goal of the program is to help sell buildings, promote metal building systems and enhance the reputation of quality assembly. Many people are confused about what it is. Simply put, it is:

- A standard to recognize Metal Building System Assemblers that are committed to excellence.
- A standard to level the playing field and improve the end product.
- Proof that you have the personnel, organization, experience, knowledge, management procedures and commitment to assemble metal building systems.
- A standard to which we can aspire, be measured and held accountable.
- A complement to AC472
- A means to an end. The end being to win more projects!

If you have any questions about this program or require any additional information, please do not hesitate to contact Jackie Meiluta.

Program information can also be found at www.iasonline.org.
Metal Construction News hosted a webinar on the program which can be viewed here.

Watch a short video about the program here.

Filling the void: How construction executives can embrace diversity in an evolving workforce
Experts say targeting the next generation may be the key to business success or failure
By Shalina Chattani | August 2, 2016
Less than a generation ago, the American labor pool was whiter and older, according to government demographic statistics. But the most recent data point to a rapidly changing workforce, one defined by greater diversity, a retiring baby boomer generation and a technologically entrenched millennial audience.
Executives in the construction industry have already pointed to addressing changing demographics as a critical aspect of their businesses, not only for the challenges it presents, but also the potential benefits. As population trends propel forward, industry leaders will need to start looking at the statistics and altering the way they approach the workforce.
Read the complete article

Let's make a dent in misconceptions

Many people think metal roofs dent easily. Not true. In most cases, a metal roof can withstand decades of abuse from extreme weather like hail, high winds, and heavy snow. Today’s systems also have a 150-mph wind rating (equal to an F2 tornado), meaning your metal roof is also safe from wind gusts that can accompany hail storms.
More Myth-Busters:
http://www.metalroofing.com/v2/content/guide/newsletters/04-0701.cfm

(copied from the MCA blog.)
The New Overtime Rule
By Stephen P. Safran and Rhian Mayhew
Safran Law Offices

As many MBCEA members are aware, the Department of Labor ("DOL") has published a new overtime rule which takes effect December 1, 2016, and may affect employers throughout the industry.

The Fair Labor Standards Act ("FLSA") requires employers to pay their employees at least the federal minimum wage, which is currently set at $7.25 per hour, for up to 40
hours. If an employee works more than 40 hours a week, then the FLSA requires an employer to pay overtime pay of one and one-half times of the employee's regular rate. However, there are certain "white collar" exemptions from the FLSA overtime requirements.

Generally, employers that have an annual gross volume of sales made or business done of $500,000 or more are covered by the FLSA. The FLSA does not prevent a state from establishing more protective standards. It merely provides the minimum wage and hour standards. If a state establishes a more protective standard than the provisions of the FLSA, then the higher standard applies in that state.

The new rule raises the salary threshold indicating eligibility to receive overtime from $455 per week ($23,660 per year) to $913 per week ($47,476 per year), automatically updates the salary threshold every three years based on wage growth over time, and amends the salary basis test to allow employers to use nondiscretionary bonuses and incentive payments (including commissions) to satisfy up to 10% of the new standard salary level.

To be exempt, a white collar employee generally must: (1) be salaried (paid a predetermined and fixed salary that is not subject to reduction because of variations in the quality or quantity of work performed) ("salary basis test"); (2) be paid more than a specified weekly salary level, which is $913 per week (the equivalent of $47,476 annually for a full-year worker) under the new rule ("salary level test"); and (3) primarily perform executive, administrative, or professional duties, as defined in the DOL's regulations ("duties test"). According to the DOL, employers are not necessarily in compliance with the standard salary level threshold to be exempt from overtime if they just meet the $47,476 annual threshold. Employers must comply with the $913 weekly salary threshold.

The DOL's regulations provide an exemption for certain highly compensated employees ("HCE") who earn above a higher total annual compensation level ($134,004 under this rule) and satisfy a minimal duties test. Under the new rule, the total annual compensation threshold for a highly compensated employee increases from $100,000 to $134,004 in December 2016.

Employers affected by the new overtime rule may take the following steps: (a) increase the salary of an employee who meets the duties test to at least the new salary level to retain his/her exempt status; (b) pay time and a half for overtime work; (c) limit workers' hours to forty per week; (d) reduce the amount of pay allocated to base salary (provided the employee still earns at least the applicable hourly minimum wage) and add pay to account for overtime for hours worked over forty in the workweek, to hold total weekly pay constant; or (e) do some combination of the above.

Employees earning below the new level do not have to be converted to hourly pay. There are millions of salaried employees (white and blue collar alike) who are legally entitled to overtime pay under the current regulations.

The new rule permits employers to use nondiscretionary bonuses and incentive payments (including commissions) to satisfy up to 10% of the standard salary test requirement. Such bonuses include, for example, nondiscretionary incentive bonuses tied to productivity or profitability (e.g., a
bonus based on the specified percentage of the profits generated by a business in the prior quarter). For employers to credit nondiscretionary bonuses and incentive payments (including commissions) toward a portion of the standard salary level test, such payments must be paid on a quarterly or more frequent basis.

Employers may also make a "catch-up" payment if an employee does not receive enough salaried pay in a given quarter to remain exempt. The DOL permits this catch-up payment at the end of the quarter. The employer has one pay period to make up for the shortfall (up to 10% of the standard salary level for the preceding thirteen-week period). Any such catch-up payment will count only toward the prior quarter's salary amount and not toward the salary amount in the quarter in which it was paid.

On July 17, 2016, legislation was introduced that would initiate a three-year phase-in for businesses to meet the new $47,476 overtime threshold, instead of making the entire increase effective December 1, 2016. H.R. 5813, otherwise known as the Overtime Reform and Enhancement Act ("OREA"), would incrementally phase in the new threshold of $47,476 over the next three years, beginning with a 50% increase December 1, 2016. On December 1, 2016, the Act would immediately increase the threshold more than 50% to $35,984. Each year following, the salary threshold would be raised by $74 per week until December 1, 2019, when the DOL's proposed $47,476 threshold is reached.

The DOL expects the new rule to impact approximately four million employees, or 9% of the national workforce, within the first three years of implementation. The National Association of Home Builders ("NAHB") has estimated nearly 100,000 construction supervisors will become eligible for overtime under the new rule.

The DOL believes that the modification of salary level threshold will serve as a clear and effective line of demarcation, which will reduce the potential for misclassification and litigation. The simplified enforcement provides a ready method for screening out the obviously nonexempt employees, making an analysis of duties in such cases unnecessary. To the contrary, numerous construction groups, including AGC, ABC, and the NAHB, have argued that the new rule will not actually raise wages for affected employees, but instead will result in workers being reclassified, with lower hourly wages to compensate for the new overtime expense.

For MBCEA members, the most important step is to review your salary practices, and determine whether the increased threshold will affect any of your workers. If so, you will have to adjust in some fashion to legally comply with these new requirements, while also acting to retain your workforce. Maintaining this balance between a tight labor market and a tightened regulatory scheme may be the toughest step for employers starting in December.

Stephen P. Safran is an attorney with Safran Law Offices in Raleigh, NC. Rhian Mayhew, who is clerking with the firm, is a rising third-year law student at the University of North Carolina School of Law. Safran Law Offices has focused on the Construction Industry for more than thirty years, and is proud to support MBCEA. For more information, please contact Stephen at stephen@safranlaw.com, or visit us at www.safranlaw.com.
Visit CPWR for information on training programs, research findings, and resources for your health and safety or research initiatives.

Don't forget, MBCEA members Save 15% on over 300 Online Safety Training Courses with ClickSafety.

OSHA QuickCards offer guidance on protecting outdoor workers from Zika virus

Outdoor workers may be at the greatest risk of exposure to Zika virus in areas where mosquitoes—the main route of transmission—are spreading the disease. OSHA’s new QuickCards, available in English and Spanish, provide information for workers about how to protect themselves from mosquito bites when working outside. The QuickCards offer tips on wearing clothing to cover skin, and using insect repellent on exposed skin. The new guidance also links to the most up-to-date information on Zika from the Centers for Disease Control and Prevention, such as potential health outcomes and reproductive effects.

UW-Madison to Offer New Metal Roofing Systems Course

Anyone involved in metal roofing design, construction, commissioning, maintenance, repair, and re-roofing can benefit by enrolling in a new 1.5 day metal roofing continuing education course offered by the University of Wisconsin-Madison December 1-2, 2016.

The interesting and informative course will be taught by our very own Mr. Robert Haddock, Director of the Metal Roof Advisory Group.

Full Press Release

We want to hear from you!

The MBCEA is dedicated to the professional advancement of our members. We need to know what is important to you, what kinds of things you are interested in, what you need.
Quote of the Day

Before you are a leader, success is all about growing yourself. When you become a leader, success is all about growing others. ~Jack Welch

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