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Editor RACHEL PINKUS



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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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Well the leaves have fallen and the college football playoff/Bowl parties are in full swing! The power plant outages and plant winterization requests can point to only one thing, old man winter is here and hopefully everyone has a good backlog of work and keeping your crews busy.

For those of you that didn't get to attend the CSIA/ESICA Fall Conference in Myrtle Beach, you missed a great time of networking and learning opportunities. With over 150 attendees and events like fishing, golf and a dolphin cruise, there was fun for every taste. With that said, mark your calendars for next year's event which will take place in sunny Houston, Texas at the Marriott Marquis September 14-16 2017 and will be in conjunction with the NIA fall Summit and IEX Expo Trade Show. If you didn't get to visit the Expo in Chicago last year, you missed a great learning opportunity.

Keep an eye out for materials about the 2017 CSIA Spring Labor Conference which has been pushed a few weeks into Spring and will be held May 2-3 at the Belterra Casino, Resort & Spa in Florence, IN. The Spring Conference may only be two days, but it is always jam-packed with invaluable information for our Contractors, lots of time for networking and fun for all. Each Spring, we also raise money for the CSIA Scholarship Fund through a 50/50 raffle. This year through your generosity, CSIA was able to provide two \$1000 scholarships. One to Michelle Higgins (Distribution International) Hammond, IN and the other to Derek Motz (Gribbins Insulation) Evansville, IN. This year we will also be recognizing the first CSIA Safety Award Winners. Make sure you apply today!

On a sad note we have lost some good friends and colleagues over the past year; Glen Perly- Howmans Dist., Ed Beverage- The Miller Group, Doug Anderson- Geo. V. Hamilton, Gary Harper- Unifrax, and Bob Vedder- H.A. Jones Co. Please keep their families in your thoughts and prayers especially during the Holiday Season.

Wishing everyone Happy Holidays and a Prosperous New Year!

Sincerely, John C. Stevens



CONGRATULATIONS 2016 CSIA SCHOLARSHIP WINNERS!

Michelle Higgins - Distribution International in Hammond, IN Derek Motz - Gribbins Insulation in Evansville, IN

2017 Scholarship Applications are now being accepted! See pages 24-25 for Details!

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Motorcycle Rally Raises Funds for Breath of Life Foundation

The Breath of Life Foundation's motorcycle rally raised about \$5,000.00 to support research in mesothelioma and other asbestos related diseases. This charitable Foundation was established jointly by the Insulator Locals and Contractor Associations throughout the Midwest. Michigan based Insulators Locals 25, 47 and Abatement Workers Local 207 all participate in that Foundation and its fundraising activities.



Mesothelioma is primarily an occupational disease that affects construction workers who worked with asbestos and similar materials. Members of the Insulators Union are particularly hard hit, but other trades have seen all too many cases among their membership as well. Presently, there is no cure for mesothelioma but intensive research is going on throughout the country. In fact, the Breath of Life Foundation supports research right here in the Detroit area, spearheaded by Dr. Michael Harbut at Providence Hospital.

Greg Revard, International Heat and Frost Insulators General Secretary-Treasurer, chaired this year's event. By holding the rally on the weekend, it was hoped that more rank and file

members could enjoy their favorite pastime - riding motorcycles and raising funds for a worthy cause.

The rally finished in Dayton Ohio, but riders came from all over the Midwest, with the Michigan contingent meeting up with Ohio riders in Toledo and then heading down to Dayton. Even a bit of rain didn't dampen the day.







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New White Collar Exemption Rules Will Continue To Be Blocked Until After Inauguration Day

According to an order just issued today by the 5th Circuit Court of Appeals in New Orleans, briefing over the Department of Labor's controversial new white collar exemption rules will not be completed un til January 31, 2017, with oral argument before the Court to be scheduled thereafter. Under the briefing schedule, the Department of Labor is to file two briefs—the first while Obama is still in power and the second 11 days after Trump takes office. It remains to be seen whether the Trump administration will support the new rules or retreat from them in some fashion.

At a minimum, this means that the new white collar salary rules will be blocked until after Trump takes office. Employers that have not yet taken steps to implement the new rules may desire to delay implementation until this issue is resolved.

These rules were scheduled to go into effect on December 1, 2016. As discussed in our November 23 alert, a federal judge in Texas issued a nationwide injunction temporarily blocking the rules. That decision was then appealed to the 5th Circuit.

Questions? Use your Association Legal Services Plan and contact **Bob Dunlevey** at **Dunlevey**, **Mahan & Furry** (937) 223-6003.









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Health Plan Premiums Lower for Union Workers Than Nonunion

By Larry Swisher

Union-represented workers in the private sector pay a smaller portion of their health plan premiums than nonunion employees, providing evidence that unions place a high priority on benefits, not just wages, in contract negotiations, a Labor Department report showed July 22.

The average nonunion worker in March paid 22 percent of employer-provided health plan premiums for single coverage and 35 percent for family coverage. Union employees with single coverage contributed 13 percent, and those with family coverage paid 17 percent of their premiums.

Unions represent about 7.4 percent of the private sector workforce, according to DOL figures.



Among all workers, the average portion of the premium paid in March was 21 percent for single coverage and 32 percent for family coverage. Both shares were little changed from a year earlier in March 2015.

The report doesn't provide figures on the dollar amounts these workers paid for their share of the health plan premium, which can vary widely.

Company Unlawfully Stopped Fund Payments Once CBA Expired By Elliott T. Dube

A fire sprinkler company violated federal labor law by halting its employee benefit fund contributions and launching a new health insurance plan when its labor contract expired, the National Labor Relations Board held 2-1 (*Colo. Fire Sprinkler Inc.*, 2016 BL 235971, 364 N.L.R.B. No. 55, 7/22/16).

The board July 22 affirmed an administrative law judge's ruling that Colorado Fire Sprinkler Inc. committed an unfair labor practice in violation of

National Labor Relations Act sections 8(a)(5) and (1) when it implemented the insurance plan without bargaining with Road Sprinkler Fitters Local 669.

The ALJ also said the unfair labor practice charge as it related to the fund payment stoppage was untimely. But the board reversed this decision,



finding that the payment due date for the month following the collective bargaining agreement's expiration occurred within the NLRA Section 10(b) six-month filing period.

Bloomberg BNA

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Underserved Populations 'Left Out of Lung Cancer Screening'

Liam Davenport

December 21, 2016

AUSTRIA — The majority of patients referred to lung cancer screening programs live close to the screening site, and remote and underserved populations are left out and potentially denied life-saving treatment, suggests an analysis of referral patterns.

The findings come from an analysis of referral patterns across 13 counties in Washington State. They were presented here at the 17th World Conference on Lung Cancer (WCLC). The results show that less than 20% of referrals to a lung cancer screening program are from medically underserved areas, with the majority of patients living less than 10 miles away.

Lead author Candice Wilshire, MD, Interventional Pulmonology and Thoracic Surgery, Swedish Medical Center and Cancer Institute, Seattle, Washington, and colleagues write: "Creative and coordinated approaches, like telemedicine, will be required to address the potential lack of lung cancer screening services in underserved/shortage areas and facilitate individuals remaining in their communities."

Lung cancer screening with low-dose CT was introduced in the United States after the <u>National Lung Screening Trial</u> revealed that the intervention yielded a 20% reduction in lung cancer mortality. The screening is aimed at individuals at high risk for lung cancer, such as smokers and former heavy smokers.

Although the 33 medical centers included in that trial were primarily academic, urban-based sites, US census data indicate that smoking is most commonly found in adults of low income and educational status who do not have private medical insurance.

Survey Details

To determined whether medically underserved and geographically remote individuals are underrepresented in their hospital-based screening program, the researchers reviewed all individuals referred for screening at the Swedish Medical Center and Cancer Institute in Seattle between 2012 and 2016.

They then determined whether the participants were living in

a medically underserved area, using the following definitions:

- Medically underserved area (MUA): a region deficient in healthcare resources
- Medically underserved population (MUP): an area with economic/cultural/linguistic barriers to primary care services
- Health professional shortage area (HPSA): an area with a shortage of primary care physicians

The team found that of 599 individuals referred to the screening program, 511 (85%) were from the metropolitan area of King County. In contrast, just 10 individuals (2%) who were referred to the program lived in geographically remote Clallam County. The remaining 78 referrals (13%) were from 11 counties clustered around King County.

Overall, 19% of referred individuals resided in an MUA, 2% lived in an MUP, and 5% resided in an HPSA. Of the MUAs, 54% referred individuals to the screening program; 24% of MUPs and 15% of HPSAs referred individuals.

The median distance of residence from the screening site was 9 miles. For individuals living in King County, the median distance was 8 miles, and for people living in Clallam County, it was 80 miles. The median distance traveled to the screening program for people living in the other 11 counties was 24 miles.

Summarizing the findings, the team said: "The majority of individuals referred [for lung cancer screening] reside within 10 miles of the lung cancer screening site. Less than 20% reside in designated underserved/shortage areas, and <55% of underserved/shortage areas are represented."

No funding for the study has been declared. The researchers have disclosed no relevant financial relationships.

17th World Conference on Lung Cancer (WCLC). Poster P1.03-051, presented December 5, 2016.



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Sheraton Grand at Wild Horse Pass, Phoenix, Arizona For more information and to register, visit *www.insulation.org/convention/2017*. NIA National Insulation Association[™]









The Mechanical Insulation Industry: A Contractor's Perspective Panel

During NIA's 62nd Annual Convention, contractors representing a variety of companies and job roles and responsibilities will share their collective expertise on topics that impact day-to-day operations and larger industry challenges. Suggested topics include: the changing supply chain, material handling on job sites, labor, spec changes, scheduling, and contractor's needs. Attendee questions are encouraged during this session. If you have specific questions for the panelists, please email *events@insulation.org*.

Panelists include CSIA President, John Stevens!



Matt Caldwell President Caldwell Insulation, Inc.

Jeff DeGraaf President Industrial Construction & Engineering Co.





Reid (Huck) Finn President APi Construction Company

John Lamberton Eastern Region President Irex Contracting Group





John Stevens President Thermal Solutions, Inc.

Facilitated By: **Bryan Rymer, Jr.** Vice President Performance Contracting, Inc.



SAVE THESE DATES!

NIA's Fall Summit 2017 and IEX Tradeshow

September 12-13, 2017 George R. Brown Convention Center Houston, Texas

Fall Summit 2017

CSIA / ESICA Fall Conference

September 14-16, 2017 Marriott Marquis Houston, Texas



Equal Opportunity in Apprenticeship

The Department of Labor issued final regulations governing Equal Opportunity in Apprenticeship. The new regulations will require apprenticeship programs to review and update current EEO policies and procedures. The goal of the new EEO regulations is to encourage greater participation in apprenticeship by women and minority workers. For example, the DOL notes that women represent 46.8% of the overall workforce, but only 2.8% of apprentices in the construction industry. The new rules do not mandate or allow quotas, but will require greater outreach, recruiting, record keeping and reporting by JATCs.



Based on comments received from interested parties, several changes were made to the final regulations. Additionally, the DOL attempted to address concerns based on feedback received. Some of the highlights, changes and issues surrounding the new regulations are described below.

- Discrimination on the basis of race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, age, disability and genetic information is prohibited. Additional protections relating to military status, family leave, criminal convictions and other factors may still apply under federal, state and local law. Programs must comply with these more stringent laws.
- The final regulations make it clear that a jointly trusteed program must make a good faith effort to ensure apprentices do not face discrimination on the job site. Committees must take immediate action to address any problems and may need to remove apprentices from employers who do not cooperate.
- Despite the logistical concerns, the final regulations require anti-harassment training of "journeyworkers who regularly work with apprentices." This training must be interactive and cannot be limited to distributing printed training material. Similar training will need to be incorporated into the program curriculum to train apprentices.
- The Employer and Training Administration believes it is appropriate for an ERISA training fund to spend plan assets to support outreach efforts and/or to support preapprentice programs. It is not clear whether the Employee Benefit Security Administration shares this view.
- [16] The Insulator December 2016

- The DOL has promised to issue a model Affirmative Action Program document that can be used by JATCs. They have also committed to additional technical assistance in order to assist with compliance.
- The Registration Agencies will continue to provide support with the utilization analysis and establishing utilization goals.
- Certain rules will take effect as early as January 18, 2017, but most will be phased in over the next 6-24 months. A compliance timetable is available from the DOL at: <u>https://</u> www.doleta.gov/oa/eeo/pdf/Implementation_Timeline.pdf

More detail on the required changes and compliance obligation can be found in the DOL publication "FAQs: Apprenticeship EEO Final Rule" at: <u>https://www.doleta.gov/oa/eeo/pdf/FAQs.pdf</u>

Although compliance should not be difficult, it will require substantial work. The DOL is offering a webinar on January 12, 2017 to discuss the required changes and offer compliance assistance: <u>https://www.workforcegps.org/events/2016/12/07/11/02/</u> <u>Apprenticeship-EEO-Regulations-Rollout</u>. This will be a helpful first step in understanding the new requirements.

For those who are interested, our firm will also be sponsoring a half -day seminar on apprenticeship issues as part of the annual "ERISA Boot Camp" on March 15th and 16th in Columbus. The program will also cover the basics of the new EEO rules. Please see the attached flyer for more information.

Over the next several months we will continue to monitor and update clients on the latest guidance from the DOL. In the meantime, please let us know if there are any questions.

Michael Ledbetter

9240 Marketplace Drive Miamisburg, OH 45342 Ph: 937.619.0900



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Union Fund Contributions Owed Even for Three Nonmembers

By Elliott T. Dube

A mechanical insulation contractor owes fringe benefit contributions to union trust funds for three workers even though they weren't union members, a federal magistrate judge determined (*Bds. of Trs. of The Northwest Insulation Workers Welfare Tr. v. Thermal Mech. Insulation, LLC*, 2016 BL 231079, D. Mont., No. CV 15-09, 7/19/16).

The judge's recommendation shows that when a collective bargaining agreement recognizes a union as the exclusive bargaining agent for "all employees performing work over which the union has jurisdiction," as the CBA in this case did, a worker's job classification and union membership status lose relevance in terms of whether a company owes contributions for him or her.



Here, six trust funds linked to Heat & Frost Insulators Local 82 sued Billings, Mont.-based Thermal Mechanical Insulation LLC under the Employee Retirement Income Security Act. The trusts claimed that the company failed to make contributions for three insulators.

Magistrate Judge Carolyn Ostby of the U.S. District Court for the District of Montana July 19 recommended summary judgment for the trusts. She said the court should award them \$58,489 in unpaid contributions liquidated damages, interest, accounting fees, attorneys' fees and costs. The unpaid contributions themselves were \$16,314 of that amount.

CBA Language Shuts Down Thermal's Arguments

Thermal was obligated to contribute to the trusts under a CBA between Local 82 and the Western Insulation Contractors Association.

Defending against the trusts' ERISA lawsuit, Thermal argued that Local 82 breached the CBA by failing to provide qualified journeymen insulators.

But Thermal couldn't rely on this alleged breach as a basis for withholding contributions, Ostby found. She said the company didn't argue that the alleged breach voided the CBA or that the contributions sought were illegal, either of which could have served as such a basis.

Thermal also said the trusts failed to show that the three workers were qualified journeymen registered with the union. Ostby rejected this argument as well.



Gains Expected in Most Areas of Construction Except Labor

By Jewel Edwards

Aug. 15 — Labor shortage concerns will continue into the new year even as economists predict growth between 5 percent and 12 percent in most areas of the construction industry in 2017.

During a collaborative midyear review hosted by the Associated Builders and Contractors, the National Association of Home Builders and the American Institute of Architects, economists said



contractors are expected to have a hard time finding qualified workers to meet growing construction demand, especially in the healthcare, education and office space sectors.

ABC Chief Economist Anirban Basu said the construction industry will continue to add jobs, but he expects many of them will go unfilled in 2017.

"Construction is often hard work," Basu said. "I think if anything we'll continue to add construction jobs and it'll get tougher and tougher to find good workers."

Data showing a declining construction unemployment rate are only an indicator that workers are "being lured away to other industries," Basu said.

Attracting more women to the industry could help the industry rebuild its workforce at a faster pace, Kermit Baker, chief economist for AIA, said. Women currently only make up about 2.5 percent of the construction workforce, he said.

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Open Letter to New Administration

Reston, VA - November 30 - The National Insulation Association (NIA), the not-for-profit association representing all facets of the commercial, industrial, and mechanical insulation industry, congratulates President-elect Donald J. Trump on his recent victory. We are encouraged by his vow to invest in our nation's infrastructure and stand ready to partner with him, his administration, and Congress in ensuring that we are investing in products that are American made, highly efficient, and will save billions of dollars well into the future.



NIA is eager to offer its expertise and resources to the next administration. NIA takes its role as the voice of the insulation industry very seriously, and we intend to use our voice to educate our leaders on how our technology is crucial to creating jobs, ensuring energy-efficient buildings, and lowering carbon emissions.

Mechanical insulation is a proven energy-efficiency and emission-reduction technology that will improve personnel safety and reduce costs while also creating tens of thousands of jobs. Extrapolating from the results of more than 1,100 energy assessments of large- and medium-size plants (and using the results from NIA's assessments of small plants and the utility industry), the U.S. Department of Energy's Save Energy Now program estimated that increased maintenance of mechanical insulation in areas where it was missing or damaged could:

- Deliver \$3.7 billion in annual energy savings.
- Reduce 37.9 million metric tons of carbon emissions.

• Provide a return on investment in 11.3 months (106% annual return).

• Create more than 27,000 jobs per year for insulation contractors, 90-95% of which represent small businesses across the United States.

• Promote American manufacturing, since 98% of the materials required for these opportunities are made in the United States of America, with most of the rest made in Canada.

These estimates are based primarily on process heating and steam systems. They do not include manufacturing processes or other opportunities, which could yield even more savings and create more job opportunities.

Through the increased use and maintenance of commercial and industrial insulation, collectively known as mechanical insulation, we have the potential to slash the building and manufacturing sectors' energy demand and greenhouse gas emissions while creating new jobs. Mechanical insulation systems are used for piping, equipment, vessels, HVAC, boilers, and other similar mechanical equipment and piping applications in industrial and commercial applications at above and below service temperature conditions. Mechanical insulation is a vital component in creating and maintaining high-performance buildings.

Buildings are responsible for 40% of U.S. energy demand and 40% of all greenhouse gas emissions. Making efficiency gains in this area is crucial if we are to markedly reduce America's energy consumption and effectively combat emissions. At the residential level, insulation is well understood for its efficiency benefits and is widely used. However, the most significant untapped potential is in the commercial and industrial sectors, which together consume 2.5 times more energy than homes, according to the Energy Information Administration. It is our hope that this new administration will work with the industry to secure our country's energy independence. We know that the mechanical insulation industry can help achieve this objective and we welcome the opportunity to work with the new administration.

> NIA National Insulation Association

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Fishing Trip winners: 1st Fish Caught - Carl Hughes Most Fish Caught - Elissa Hughes Biggest Fish - Elissa Hughes









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Poll: Skilled Trades Rank Low in Teens' Career Options

Machinery Lubrication - Noria News Publication

A recent survey by RIDGID, a leading supplier of professional grade tools, reveals that a scant 6 percent of high school students hope to have a future career in the skilled trades – defined as plumbers, carpenters, electricians, heating, ventilation or air conditioning installers, or repair people.

According to the U.S. Bureau of Labor Statistics, by 2014 the U.S. will need 29 percent more HVACR and 21 percent more plumbing technicians, a total of more than 100,000 skilled workers in the job pool. Among the 500,000 plumbers in the United States alone, the demand is expected to grow 10 percent by 2016, however, due to an aging generation of skilled professionals, more than a third of all plumbers – or approximately 167,000 workers – will be exiting the workforce.

"The economy hit construction hard, no doubt," says Fred Pond, president of RIDGID. "However, the realities of an aging infrastructure, urbanization and a mature workforce all remain. When this turns around, and it will, demand for skilled labor will be significant."

"There is definitely a shortage of skilled plumbers," said Brian Shields, owner of Brian Shields Plumbing Inc. "I've been a plumber for 20 years and there are no skilled plumbers in my area that I feel comfortable employing. I had to travel to another state to find someone who was willing to learn the trade. I'm one of a dying breed."

"On-site labor is one thing that cannot be outsourced," says Wyatt Kilmartin, director, RIDGID branding. "Young people need to know that historically there is a high demand and great future potential – including the opportunity to own and operate your own business – that comes with a career in the skilled trades."



The survey was conducted by KeyStat Marketing and Greenfield Online to ensure statistical integrity. The nationwide sample was divided between 80 percent males and 20 percent females, for a total sample size of 1,023. All respondents were high school students' age 14 to 18 years who were currently enrolled in ninth through 12th grade.

From the pool of 94 percent of students who are not interested in pursuing a career in the trades, respondents revealed multiple factors that may be hindering them, such as a lack of knowledge about the industry, and the overall perception of the skilled trades.

Why aren't students interested in the skilled trades?

- 53 percent of students say working in the trades just doesn't interest them.
- 25 percent of students cite they are not interested in working in the skilled trades because they are not mechanically inclined, while 24 percent say they are not good at fixing things.
- 21 percent of students who would not consider a career in the skilled trades say it's because they don't know enough about it.
- 15 percent of students would not consider a career in the skilled trades because they don't believe there is a lot of opportunity in the skilled trades.
- 11 percent of students were not interested because they don't think the trades are cool.
- 10 percent of students say skilled trades were not high tech enough.

In addition, all students who were surveyed revealed their impressions of jobs in the skilled trades.

- 54 percent of young people believe there is a better future working in computers than working in skilled trades.
- 37 percent of young people believe working in an office is more respected than working with your hands.
- 25 percent of young people believe skilled trades jobs are old-fashioned.

Where Young People Want To Work

So, what's the No. 1 field of interest for graduating seniors? RIDGID's survey results show 25 percent of students hope to work in a career with computers or the Internet. The next most popular fields of interest include business (16 percent); engineering (15 percent); healthcare, defined as doctors, nurses, assistants and technicians (15 percent); and the entertainment/arts field, defined as actor, musician, TV anchor, reporter and producer (15 percent).

"The problem with kids not pursuing a career in the skilled trades is largely because they are not introduced to it," said Mark Yochim, licensed Plumbing Contractor and owner of Mark A. Yochim and Associates. "When I was in school 40 years ago, you could pick up a class in industrial arts and get a feel for working with tools. Today, kids don't have that opportunity."

Based on RIDGID's survey results, there appears to be an opportunity to draw a new audience into the skilled trades, but education is key. Whether or not their high school offers vocational classes and if the student knows someone working in the skilled profession affects students' interest in the trades.

Perceptions of the skilled trades after students were educated:

- Students who have taken skilled trades vocational classes in high school are more apt to hope to have a future career in the skilled trades. Compared to students in general (14 percent compared to 6 percent).
- An overwhelming 77 percent of students who have taken skilled trades vocational classes in high school say they would consider a career in the skilled trades, nearly twice the percentage of students in general (39 percent).
- 60 percent of students say they are more interested in working in the trades knowing that skilled trades people can work for someone else and still earn up to \$90,000 or more per year.
- The majority of students are more interested in working in the trades knowing that skilled trades people can have flexible hours (55 percent), free job training is sometimes available (54 percent) and that skilled trades people can have good work benefits (54 percent).
- Those who know either a relative or friend working in the skilled trades are more likely to consider a career in the skilled trades (50 percent) than those who don't know anyone working in the field (39 percent).



Industry leaders are working hard to help bolster the image of the industry by educating students about the benefits of a career in the skilled trades. RIDGID created the PROFuture program to help educate students about the skilled trades. "PROFuture started in response to the lack of young people entering the trades and filling jobs," said Kilmartin. "It is designed to reinforce the decision of those joining the trades and educate those people yet to make a decision. We are going to need them."

RIDGID is a subsidiary of Emerson, based in St. Louis, Mo. It is a global leader in bringing technology and engineering together to create innovative solutions for customers through its network power, process management, industrial automation, climate technologies, and appliance and tools businesses.

New Overtime Rules Placed on Hold!

Written by: Bob Dunlevey of Dunlevey, Mahan & Furry

On November 22, a federal Judge in Texas enjoined the U.S. Department of Labor from implementing its new overtime rules throughout the U.S. – regulations which were to become effective December 1. The new overtime rules made approximately 4.2 million more workers subject to overtime compensation by stripping them of their exemptions. This is a preliminary injunction only and the final ruling will come in the months to come. In the meantime, employers need not comply with these new rules which require employees to receive at least \$47,476 per year to enjoy the overtime exemption. Employers may wish to put on hold any salary increases given to employees in order to satisfy the higher salary test.

The Judge ruled that the DOL's promulgation of these regulations exceeded its authority. The Court appeared to say that the focus as to whether an employee is exempted should not be on the amount of salary earned, but instead the actual duties performed. But, for many years, a salary threshold requirement has existed but only required an annual salary of \$23,660.

The DOL stated "We strongly disagree with the decision by the Court, which has the effect of delaying a fair day's pay for a long day's work for millions of hard-working Americans." Of course, these new regulations continue to be extremely controversial and the 21 states and various trade associations including the U.S. Chamber of Commerce appear to have great resolve in stopping these new regulations from being implemented. This case needs to be carefully watched because it also sets the tone for further attacks on other rules and regulations promulgated by other agencies during President Obama's term.

Based on this federal Court case, employers need not comply with the new overtime regulations on December 1 but should remain prepared to do so in the event the decision of the federal Judge is modified or overturned. Most importantly, in the last several months, I have met with numerous employers in order to ensure compliance with the new regulations. This exercise confirmed that many employers had misclassified employees as exempt under the previous regulations. These employers should not delay in reclassifying those employees previously misclassified. Remember, it is estimated that 70% of employers are in violation of federal wage-hour laws. Audit your wage-hour practices today!

For additional information, utilize your Legal Services Plan. Contact attorney Bob Dunlevey at (937) 223-6003.

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2017 CSIA SCHOLARSHIP PROGRAM

The purpose of this Scholarship Program is to supplement financially up to two (2) college students per year in a field of study that is relevant to the

Mechanical Insulation Industry directly or indirectly. Each scholarship shall be a one-time payment of \$1000 that will be paid on or about September 30th to each recipient. The scholarship will be paid to the student(s) for payment of tuition, books, and/or fees.

- I. Eligibility will be based on the following criteria:
- a) Student must be the child of or under legal guardianship of a full-time employee not under Trade Agreement of a current CSIA member.
- b) Must be currently enrolled or preparing to enroll in undergraduate study at an accredited college, university or technical institute.
- c) Not previously awarded a CSIA scholarship.
- *II.* Scholarship(s) will be awarded based on the following criteria:
- a) A type-written essay of 500-800 words, regarding importance of insulation and how it affects the student's life and the lives of others.
- b) Field of study.
- c) Past academic achievement and leadership qualities.

An independent group shall make selection by the 2017 CSIA/ESICA Fall Conference. All selections are final. The application form and essay are due by August 15th of each calendar year. CSIA is not obligated to present a scholarship each year. Awards will be presented based on the criteria.

For your convenience, an application form is posted at www.csiaonline.org.

CENTRAL STATES INSULATION ASSOCIATION 2077 Embury Park Rd. Dayton, OH 45414

> PH: 937-278-0308 FAX: 937-278-0317 csia@assnsoffice.com www.csiaonline.org

(937) 223-6003 • www.dmfdayton.com

ATTORNEYS

2017 CSIA SCHOLARSHIP APPLICATION

Name	
Address	
Telephone Number()
E-mail Address	
Relationship to CSIA M	

CSIA MEMBER INFORMATION

Name of CSIA Member Employee			
Employer's Name			
Address			
City, State, Zip Code			
Telephone Number ()			
Fax Number ()			
E-mail Address			
EDUCATIONAL BACKGROUND			
High School Name			
Address			
City, State, Zip Code			
Telephone Number()			
Office Contact / Guidance Counselor			
Current Grade Point Average: out of a scale			
Extra Activities, sports, clubs, achievements (use separate sheet if necessary)			
Probable Field of Study			
Educational Goals (use separate sheet if necessary)			
Selected University, College, or Institute			
Date Classes Begin / /			
Applicant Signature Print or type name and date			
Signature of Corporate Officer Print or type name and date			

Please include your 500-800 word essay and photo with this form when you return it to the CSIA Office 2077 Embury Park Rd. - Dayton, Ohio 45414

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CENTRAL STATES INSULATION ASSOCIATION

MEMBERSHIP APPLICATION

APPLICANT INFORMATION

Company Name: Address:				
City, State & Zip:				
Telephone:				
Contact Name:				
Email:				
TYPE OF MEMBERSHIP REQUESTED (check only one)				
	•	Insulation Abatement Unionized Merit		
Associate	\$425.00 \$513.00 \$ 95.00	□ Manufacturer □ Sales Manufacturing Representative		
APPLICANT INFORMATION Please Answer the following questions so that we may get to know you better, and feel free to use additional sheets is necessary.				
1. Type of Work in which you	ur company is e	engaged:		
2. Length of time company has been in business; date established:				
3. Primary geographic area	of operation:			
4. Brief history of company:				
5. Identify Principals of Com	pany and Titles	S:		
6. Number of Employees:				
		employees:		
8. Is your company a member of NIA? Yes No				
This application for membership is made subject to the Bylaws governing such membership. It is understood and agreed that, if and when approved by the association's Board of Directors, the applicant shall maintain membership in good standing and shall terminate it only in writing, and only after all obligations to the association have been met. The undersigned company and its representatives agree to abide by all terms and conditions of the association's bylaws.				
Membership Proposed by:	Existing CSIA Member	r		
Signature of Applicant:				
Make dues check payable to CS Payment via Visa, MasterCard, I		ith application. nerican Express are also accepted.		
Card Number		Expiration Date		
Name 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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