



# It's Not Too Late to Register! CSIA SPRING LABOR CONFERENCE

this year in conjunction with MCAO April 22-23, 2014 The Marriott Griffin Gate - Lexington, KY Details on Pages 10-11 Side View

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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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Spring has supposedly arrived, and yet we continue to experience temperatures in the teens – with snow! – and only a few sunny days in the 60s. I'm not sure about everyone else but we are ready for the warm sunny days to be a little more consistent. It seems like winter has lasted forever this year.

Luckily I'm taking the opportunity to do some networking with colleagues and gain more industry knowledge at the Annual NIA Convention. I'm guessing you will receive this message about the same time that I'm intently focused on an Insulation Presentation. Hopefully, we will have some good participation from our CSIA members in supporting our industry at this year's convention.

By now you should have already registered for the spring labor conference at the Griffith Gate Resort in Lexington, KY, on April 22<sup>nd</sup>

and 23<sup>rd</sup>. Conference attendees will network with business associates and MCAO member firms (Union Mechanical & Sheet Metal Shops in Ohio), receive updates on member field wage compensation packages, and play some golf at a beautiful course. I highly encourage you to attend this event. Now more than ever we need to face the facts of our current union market and collectively determine ways to improve. This event is one of the two CSIA events for the year so please participate and take full advantage of your membership. If you can't make it, consider sending someone from your company in your place.

Don't forget to mark your calendars for the Fall ESICA/CSIA conference at the JW Marriot in New Orleans, September 11-13. This should be a great venue and a chance to spend some time with our ESICA counterparts.

Recently you should have received information about the Foreman Training Program. This is a unique opportunity to teach your foremen the necessary skills to communicate with the customer, subordinates, and your team on day-to-day field issues. We need to separate ourselves from our non-union competition by giving the customer reasons to pay a higher rate for using our services. The first step down this long path is to increase the level of professionalism provided by our front line workers, whom our customers deal with on a daily basis. Please take advantage of this opportunity by contacting your local business agent to find out more details.

On to the 2<sup>nd</sup> quarter of the year already - don't procrastinate and follow through with those resolutions you made 3 months ago!

#### Brian Willett

Executive Vice President Certified Insulation Energy Appraiser

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## A MEMBER OF <u>YOUR</u> FAMILY MAY BE ELIGIBLE FOR A CENTRAL STATES INSULATION ASSOCIATION



# **2014 SCHOLARSHIP**

The **Central States Insulation Association** offers two \$1,000 college or technical school scholarships to students who are the children of or under the legal guardianship of employees of **CSIA** member companies. If you are an employee of a **CSIA** member and have a child or other dependent who is currently a student at a college, university, or technical institute, or who plans to enroll in such an institution this year, he or she may be eligible to apply for a **CSIA** scholarship. Applications and required supporting material along with a photo of the applying individual must be returned to the **CSIA** Office by August 15, 2014.

## **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 2014 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 above.

Additional application form and essay information can be requested from the CSIA Office. For your convenience, an application form is posted at www.csiaonline.org.

# **CSIA SCHOLARSHIP APPLICATION**

Name
Address
City, State, Zip Code
Felephone Number   ()
E-mail Address
Relationship to CSIA Member Employee

#### **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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#### **POLYGUARD PRODUCTS, INC.** SELF ADHESIVE PROTECTIVE COATINGS FOR ENGINEERING AND CONSTRUCTION



#### POLYGUARD PRODUCTS ANNOUNCES NEW PRODUCT LINE

Ennis, Texas, February 25, 2014 - Polyguard Products, Inc. is pleased to announce the addition of the DOW Styrofoam<sup>®</sup> XPS Billet line of insulation to its product offerings. The "blue" insulation is available in 7" x 14"x 9', 8"x 16"x 9', and 10"x 20"x 9' billets for fabrication into pipe insulation, fittings, CSWS, and vessel heads.

According to Patrick Dunn, Vice President and General Manager, Mechanical Division, "For the past 8 years, I have been searching for the right insulation product to complete our 'system approach' for the ammonia, and cold piping industry. The addition of Dow<sup>®</sup> Styrofoam<sup>®</sup> XPS PIB Billets is the perfect fit for this system approach. We can now supply all the components of a cold service insulation system: RG-2400 on the pipe, insulation, vapor stops and terminations, joint sealers, vapor barrier, final jacket, and gliding saddles. This is a very exciting opportunity which we believe the cold service industry will embrace: "one-stop shopping for your cold service needs."

Technical Literature and pricing is available for qualified fabricators.

#### **Polyguard Products**

Founded in 1950, Polyguard Products is an employee-owned company specializing in products to protect the building envelope; moisture, vapor barrier and corrosion products for the mechanical and HVAC industry and corrosion coatings for the pipeline industry. For more information, visit www.polyguardproducts.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.

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Company Name		The Cut-Off Date for Hotel Room Reservations has passed, but Call 888-294-0084 or email Rachel at		
Attendee Name	Golf Handicap	rpinkus@assnsoffice. what she can do to get 3 other hotels wit	you in. There are also	
Attendee Name	Golf Handicap	Marriott Gr		
Address				
City		State	Zip	
Phone	Fax	Email		
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Card Number		newsletter recognition.  BUFFET LUNCH Includes Signage at Lunch recognition.	\$350.00 n and website, Facebook, and newsletter	
Exp. Date	Billing Zip	Website, Facebook, and n     CSIA WEBSITE     BUTTON LINK		

RETURN TO: CSIA 2077 EMBURY PARK ROAD DAYTON, OH 45414 OR FAX TO: 937-278-0317 QUESTIONS? CONTACT RACHEL AT: 888-294-0084 OR rpinkus@assnsoffice.com

# **2013 SCHOLARSHIP WINNERS**

## Bryce Stamp National Environmental Contracting, Inc.

## Elizabeth Lane Action Insulating Services, Inc.



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



#### Paul Routh Highlighted In BSB Magazine



Paul Routh is a nationally recognized benefits attorney providing advice and counsel on health plans and other non-retirement benefits, such as group life insurance, disability plans, cafeteria plans and premium only plans. He has devoted over 27 years to counseling

employers on such things as the design and drafting of health and welfare plans, advising employers on the requirements of the Healthcare Reform laws, assisting in ERISA annual filing requirements, and representing plans and plan sponsors in litigation and governmental audits.

Paul was highlighted in the March issue of the Dayton B2B magazine. If you do not get a copy of the B2B Magazine, see Paul's article online at DAYTONB2B.com.

Dunlevey, Mahan and Furry also provides the Association with the Legal Services Plan that provide members one consultation per month free of charge, with any of the attorneys at Dunlevey, Mahan and Furry. If you do not have a copy of the Association Legal Services Plan brochure to see how the program works, contact the Association Office.





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[13] The Insulator April 2014



#### *The One Cent Per Hour Alternative Way to Fund Your Annual Dues!*

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

IT'S EASY TO DO! JUST CONTACT BOB POPE OR RACHEL PINKUS AT 937-278-0308 OR CSIA@ASSNSOFFICE.COM





JW MARRIOTT

NEW ORLEANS

[15] The Insulator April 2014

NDT INSPECTION PLUGS

# **SAVE THE DATE: CSIA/ESICA Fall Conference September** 11-13, 2014





<u>Surviving an</u> <u>OSHA Inspection</u> with Bob Dunlevey Dunlevey, Mahan & Furry

If you have not felt the brunt of an OSHA inspection recently, chances are you will do so soon. Inspection efforts are escalating! Our firm has been involved in many of them. Often it is a disgruntled employee who brings in OSHA - not the "random" inspection. Also, accidents which find their way into newscasts and newspapers frequently trigger inspections as well. In fact, most police and fire departments now call OSHA while they are on the scene of a job related accident. When OSHA appears, the employer's initial response will determine its success in avoiding and defending citations. OSHA's first visit after an accident is the most important event in the life of the investigation. Don't think that you have "nothing to hide." Procedures should be in place for dealing with an inspection. With planning, employers can manage effectively the inspection to minimize work disruptions, present the employer and its worksite in the best light possible, maintain positive employee relations and preserve sound relationships with the government agency. Failing to plan, however, may result in excessive civil penalties, significant abatement costs, criminal prosecutions, negative media coverage, and deteriorating employee relations. Taking effective steps before, during and after a government inspection or investigation is critical to limiting your liability.

Remember that you are entitled to representation in an OSHA inspection and OSHA must give your company a reasonable opportunity to have your safety consultant or OSHA attorney travel to your facility before the inspection commences. Don't be in a hurry to let OSHA into your facility. Some larger clients of the firm have made Compliance Officers ("C.O.") wait as much as two hours for us to arrive – but this is at the outer limits of a reasonable time frame.

When OSHA appears, you have two options permit the inspection or refuse it. If the inspection is permitted, strict parameters need be set in order to keep the compliance officer from having the opportunity to engage in a fishing expedition for additional violations. Whether to grant access frequently depends upon the facts and circumstances surrounding the citation and the working environment at time of inspection. Generally, however, if the C.O. appears with a proper complaint, he should be permitted to inspect, but only for the item identified in the complaint. The employer's limitations on the inspection should be stated to the C.O. and those limitations should be strictly followed. Remember, OSHA is empowered to expand the inspection scope and issue citations for other violations which may be in plain sight as the C.O. moves between the entrance to the work place and the area of the inspection. Anything seen is fair game! It is so important to limit the compliance officer's exposure that it is not unusual for an employer to cause the C.O. to walk outside and around the facility and therefore enter by a back or side door immediately adjacent to the area of inspection.

An employer has the right to deny access until a search warrant is obtained. Some benefits exist in requiring a warrant - it identifies the scope of the inspection, the time limitations for performing the inspection and gives the employer time to get its house in order before the compliance officer returns with the Court order. Requesting the warrant is most advised, if there are numerous items listed on the complaint or a "wall-to-wall" inspection is intended. Historically, compliance officers are not more zealous about the inspection, when required to obtain a warrant – contrary to what you may think.

Well before OSHA appears, you should establish a protocol for an inspection and designate a team which will be the only individuals interfacing with OSHA. One individual should be designated to keep tight control over the entire process – preferably someone who is not "over talkative."

Stick with the following hints and avoid being overly cooperative or overly communicative (a high level of cooperation won't do anything to mitigate your exposure to liability contrary to what you have heard):

#### **CONTINUED ON PAGE 17**



- Designate one safety knowledgeable manager to interface with OSHA now and in anticipation of future visits.
- Consider whether to immediately employ an experienced safety consultant or OSHA attorney to handle the initial inspection and the balance of the matter so as to keep you isolated from being exposed to the C.O. and saying and doing the wrong things. OSHA will wait until your representative arrives, so don't be in a hurry!
- Review C.O.'s credentials and obtain full name and office address.
- Determine if the inspection is caused by complaint, is random or post-accident.
- Inquire as to the scope of the inspection (specific piece of equipment, area or wall-towall) and get a copy of the complaint at the outset and confine the inspection to the items in the complaint.
- If wall-to-wall inspection, consider requiring search warrant.
- If narrow inspection, reach agreement as to approach for inspection and confine the scope of inspection.
- Walk with C.O. (elbow to elbow) through entire inspection.
- Try to postpone employee interviews until you have a thorough appreciation of what occurred, who was involved, what OSHA Standards are applicable and whether your company was in compliance at the time of the accident. Your representative is entitled to brief employees in anticipation of their interviews and this is well worth the time and effort.
- If the C.O. asks what happened don't guess! even if you think you know.
- Take pictures of anything OSHA takes pictures of from the same angle and at the same time.
- Provide no unsolicited information and permit no one else to do so.

**CONTINUED ON PAGE 18** 

# CUSTOM TAILORED LEGAL SOLUTIONS for Your Business

EMPLOYMENT • BUSINESS LAW • CONSTRUCTION

#### A PERFECT FIT, NO MATTER THE SIZE



- Don't provide documentation to OSHA until you and your safety experts have thoroughly reviewed the documentation – consider whether the information can be provided in a form that states the company's position in the most positive light.
- Take minutes/notes regarding everything C.O. does and says, including those to whom he speaks (he has the right to interview employees outside of your presence but you may be present when supervisors are interviewed). Be careful what you write. It is discoverable.
- If C.O. has a video recorder, be cautious that, while it may be pointed to the ground, it is recording audio (a favorite trick).
- Don't take pictures or write emails during or after the inspection that could be used against you they are discoverable.
- Refrain from having employees write witness statements of events which caused the inspection these statements are admissible at time of trial and are seldom beneficial.
- A company representative can be present when the C.O. interviews a supervisor and a knowledgeable representative should always be present and ask for a copy of any written statement taken immediately upon conclusion of the interview – don't let the supervisor sign the statement until you are sure it properly states the testimony of the supervisor.
- Limit a C.O.'s conversation with employees at their work stations and don't permit the employees to group themselves around the C.O. to engage in group discussions.
- Avoid reenactment of accidents and merely permit the C.O. to review the normal operations.
- Take thorough notes at the "closing conference" when the C.O. reviews his findings – an experienced attorney skilled in OSHA defense should be present if it is a significant matter such as a fatality.

 Determine whether to contest any citation based upon the costs involved, the penalty amount, the severity of the citation, the precedent set, the ability to abate the alleged violation (time and method), likelihood of future violations and the impact on other possible collateral litigation. An informal settlement conference is available at OSHA's offices but seldom beneficial.

Remember, that almost always a company can receive a substantial reduction in the monetary penalty imposed but the real consideration is whether by settling the case you are agreeing to change your methods of operation in some fashion which will, at least, be expensive or, at most, be totally impractical and substantially impede effective and economic production. Don't measure the success of the outcome of the investigation by the number of dollars that the penalty has been reduced, but instead by how the agreed to abatement efforts do not impede your normal operations. Also, other types of civil court actions and administrative proceedings may arise out of the accident and OSHA's documentation will be discoverable.

OSHA's enforcement activities have changed dramatically in the recent years and your approach to dealing with the agency needs to be reconsidered, if you are to survive an inspection. Few attorneys and consultants are adequately equipped to deal with safety issues, especially when there are serious accidents. Take the time now to consider how you will approach an inspection before your day comes.

For further information utilize your Legal Services Plan and contact Bob Dunlevey, Dunlevey, Mahan & Furry at (937) 223-6003.





## CENTRAL STATES INSULATION ASSOCIATION

#### MEMBERSHIP APPLICATION

#### **APPLICANT INFORMATION**

Contact Name: Email: Website: TYPE OF MEMBERSHIP REQUESTED (check only one )	Unionized
City, State & Zip: Fax: Telephone: Fax: Contact Name: Fax: Email: Website: TYPE OF MEMBERSHIP REQUESTED (check only one ) Contractor \$385.00 Insulation Abatement I Distributor/Fabricator \$385.00 Associate \$473.00 Manufacturer Sales Manufa	❑ Unionized □ Merit
Telephone:       Fax:         Contact Name:	D Unionized D Merit
Telephone:       Fax:         Contact Name:	D Unionized D Merit
Contact Name:	D Unionized D Merit
Email:    Website:      TYPE OF MEMBERSHIP REQUESTED (check only one)      Contractor    \$385.00      Distributor/Fabricator    \$385.00      Associate    \$473.00    Manufacturer	🕽 Unionized 🗖 Merit
□ Contractor       \$385.00       □ Insulation       □ Abatement       □         □ Distributor/Fabricator       \$385.00       □ Manufacturer       □ Sales Manufacturer	
<ul> <li>□ Contractor</li> <li>□ Distributor/Fabricator</li> <li>□ Associate</li> <li>□ Manufacturer</li> <li>□ Sales Manufacturer</li> </ul>	
□ Associate \$473.00 □ Manufacturer □ Sales Manufa	acturing Representative
APPLICANT INFORMATION	
Please Answer the following questions so that we may get to know you better, and feel free to	o 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 company:	
5. Identify Principals of Company and Titles:	
6. Number of Employees:	
7. Labor Organizations representing your employees:	
8. Is your company a member of NIA?  Yes No	
This application for membership is made subject to the Bylaws governing such membership. and when approved by the association's Board of Directors, the applicant shall maintain mem terminate it only in writing, and only after all obligations to the association have been met. The representatives agree to abide by all terms and conditions of the association's bylaws.	nbership in good standing and shall
Membership Proposed by:	
	ate:
Make dues check payable to CSIA and return with application. Payment via Visa, MasterCard, Discover and American Express are also accepted.	
Card Number Expiratio	n Date
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- Indoor and Outdoor Use
- Corrosion Resistant
- Impact Resistant
- Easy Installation

Speedline<sup>®</sup> SmokeSafe<sup>™</sup> PVC Systems cover piping fittings and mechanical equipment up to 24" outside diameter. Speedline also offers a wide selection of Adhesives/Sealants, Fasteners, Caulking, and Tapes. Learn more by visting www.speedlinepvc.com

Speedline Corporation delivers the solution for your piping demands.





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