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**INSULATOR**

JUNE 2011



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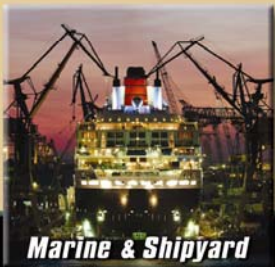
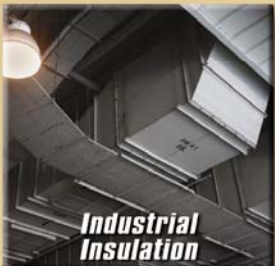
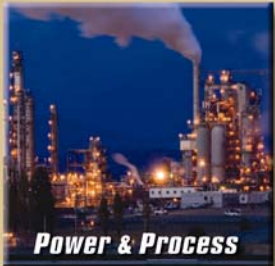
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# **THE INSULATOR**

**Editor  
RACHEL PINKUS**



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The Central States  
Insulation Association**  
**csia@assnsoffice.com**  
**www.csiaonline.org**

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

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

**All information contained herein is  
considered reliable to the best of our  
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# CSIA PRESIDENT'S MESSAGE

From Rob English, Foamglas Insulation

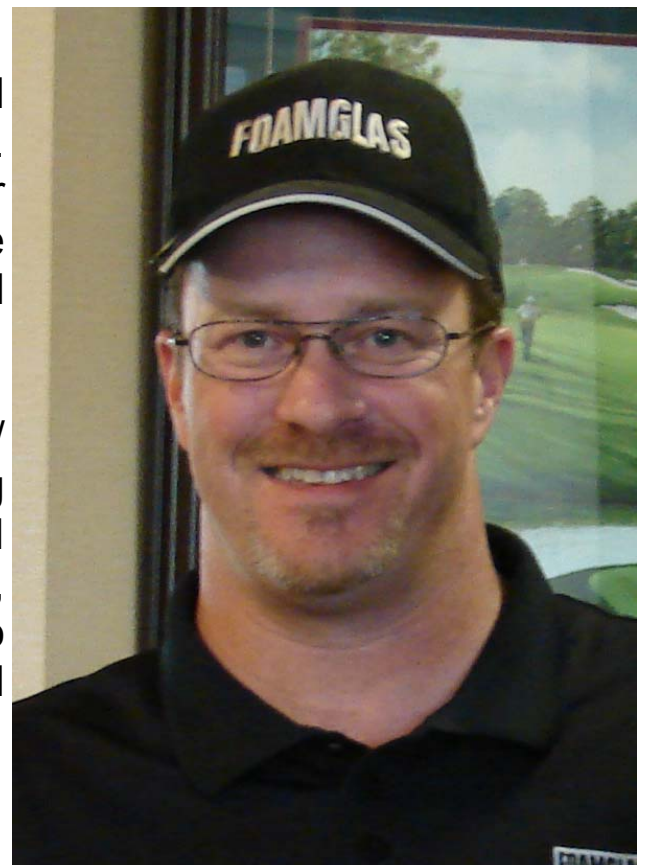
From snow to storms. The spring of 2011 will go down in history as one of the stormiest, and as the deadliest ever. April and May have been the worst weather-wise that I can recall. Tornadoes in Tuscaloosa, AL and Joplin, MO were the deadliest recorded since the 1974 "Super Outbreak" and 1925 Tri-State Tornado respectively... We send our thoughts and prayers to people living in these areas.

The economy as it related to projects for our industry seems to be following the same path. Searing hot periods, followed by nasty storms, periods of inactivity, followed by periods of running flat out. I do not recall the forecasting ever being so difficult either. For my Regional Managers, it is adding extra administration time just to track the changes, and adding additional costs in manufacturing due to the needs of adding flexibility to meet customer demand. I am sure that we are all feeling the same squeeze to some degree.

Going forward, there is both weather and economic light at the end of the tunnel. Summer is here, and if we can cajole our government to spend wiser, maybe the end of this economic down-bubble will finally show.

On a happier note, the fall CSIA/ESICA conference details are coming together nicely. It is a great location, and I hope that you all have blocked the dates, **September 15-18, 2011**. I look forward to seeing you on the road this summer and at the Greenbrier!

Batten down the hatches!



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## **Budget Would Limit Prevailing Wage, Saving State Resources, Says Governor**

CINCINNATI—Most public construction projects in Ohio would not have to pay prevailing wage if Gov. John Kasich's(R) biennial budget proposal is adopted, breaking with the 80-year-old law to help government entities deal with reduced state funding.

Language articulating Kasich's "reform budget" (Sub. H.B. 153) was introduced March 29 in the Ohio House, two weeks after the governor released his \$55.5 billion proposal that aims to close a projected \$8 billion deficit.

Kasich's proposed 2012-2013 budget includes about \$1 billion in reduced funding to cities, villages, and townships, but features provisions that would help those governmental bodies weather these cuts, according to the governor, like narrowing the scope of the prevailing wage law.

Under current law, public construction projects costing \$78,258 or more must pay prevailing wage; Kasich's budget would increase the cost threshold to \$5 million. In addition, all construction projects at state colleges and universities, plus those funded through Ohio Department of Development grants, would be exempt from prevailing wage.

These changes would follow a recent policy shift by the Ohio School Facilities Commission calling for any construction bids that require prevailing wages or project labor agreements to be rejected (57 CLR 21, 3/3/11).

### **Governor Says Prevailing Wage Increases Costs**

Testifying March 30 before the House Finance and Appropriations Committee, Randy Cole, president of the state Controlling Board, said current prevailing wage statutes have repeatedly been identified "as a mandate that drives up the cost of government building construction and limits the firms that respond to bid solicitations."

Democrats in the Ohio General Assembly question that assertion, noting studies show that the public pays as much or more for non-prevailing wage construction because projects take longer when workers are less skilled.

Rep. Matt Szolloski (D) said the move is politically motivated because unions did not support Kasich, calling the budget bill "a declaration of war on construction workers."

Along with virtually eliminating prevailing wage, the proposed budget would scrap state law that requires all major public construction projects to engage four prime contractors.

The practice of requiring separate contractors for heating, plumbing, electrical work, and general construction increases costs through delays, misunderstandings, and lawsuits, according to Kasich's budget documents, and would benefit colleges and universities, which most frequently undertake major projects.

Ohio has had a prevailing wage law for projects that get a portion of state money since 1931.

### **CSIA BREAKING NEWS ON BUDGET DEAL—June 7, 2011:**

**The Ohio Senate has just released details of new language pertaining to prevailing wage and multiple prime contracting that will move these issues into the Conference Committee Process**

Prevailing wage is retained on University and Turnpike work and it will be used at the discretion of local Port Authority Boards. Prevailing wage will be forbidden on K-12 schools by statute. The new thresholds for prevailing wage will be \$125,000 in 2011, \$200,000 in 2012, and \$250,000 in 2013 on new construction and \$38,000; \$60,000; and \$75,000 respectively for renovation work. The current language also provides many remedies to the recently abused and costly "interested party" litigation over prevailing wage complaints and expands the Department of Commerce's ability to investigate and settle these complaints out of court in a more reasonable manner.

Compromise language is also included for "Construction Reform" that retains the use of multiple prime contracting, while also allowing general contracting, construction manager at risk, and design build contracting models under state-standard contract documents and terms.

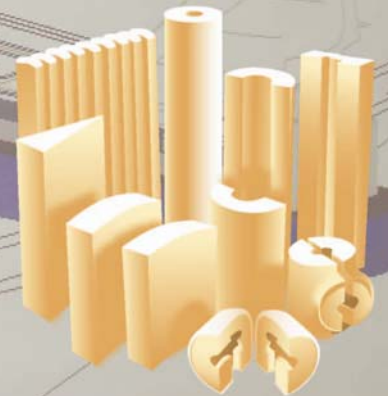
***If you would like more detailed information, please contact: Valerie Dahlberg in the CSIA Office.***

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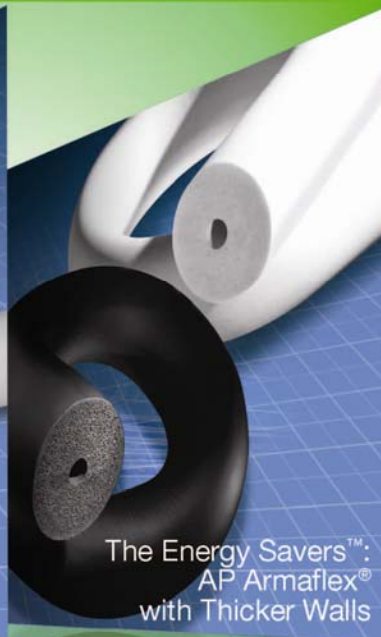


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## Nomaco Insulation Announces New Regional Sales Manager, Dean Egert

(Tarboro, NC) – Nomaco Insulation has announced the addition of a new Regional Sales Manager to meet the growing business needs. Egert is based in Charlotte, North Carolina and will be working to develop specifications and new product applications.

In addition to a Masters of Business Administration Bachelor's degree, Egert has more than 33 years experience in sales and management in the chemical industries.

"We are pleased to have Dean as part of the Nomaco Insulation team," said Richard Berry, Nomaco Insulation national sales manager. "He comes to us with a vast array of experience that adds to our group and enables us to continue our pattern of growth in the mechanical insulation market."

Nomaco Insulation is a global leader in engineered polymer foam insulation products used in the residential, commercial and industrial markets. For more information on Nomaco Insulation, visit [www.nomacoinsulation.com](http://www.nomacoinsulation.com) or call 866-876-2684.



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**2011 SCHOLARSHIP  
APPLICATION**

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**CENTRAL STATES INSULATION ASSOCIATION**

2077 Embury Park Rd.  
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# 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 2011 CSIA/ESICA Fall Conference. All selections are final. The application form and essay are due by August 24th 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](http://www.csiaonline.org).

---

## **CENTRAL STATES INSULATION ASSOCIATION**

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City, State, Zip Code \_\_\_\_\_

Telephone 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

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Signature of Corporate Officer

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**Please include your 500-800 word essay and photo with this form when you return it to:  
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# CSIA 2010 Spring Golf Winners

(Winners names are listed in no particular order. Some winners were not available for pictures.)

## 1st Place

Brian Willett  
Mark Estep  
Reid Pugh  
Don Wadden



## 2nd Place

Pat Nelson  
Mark Gribbins  
Rob English  
Carl Schultz



**Closest to the Pin**  
**Brian Willett**



**Longest Drive**  
**Pat Nelson**



# A SPECIAL THANKS TO OUR PRESIDENT AND THIS YEAR'S SPRING CONFERENCE SPEAKERS!



From Left to Right: **Dave McCoy**, Champaign A&K Insulation; **Rob English**, Pittsburgh Corning; **Bob Dunlevey**, Dunlevey, Mahan & Furry; **Jim Gribbins**, Gribbins Insulation Co.



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## **GAO Report Calls for Greater Transparency, Changes to Improve Prevailing Wage Process**

A report released April 6 by the Government Accountability Office found that the Labor Department's current survey method for determining Davis-Bacon prevailing wage rates lacks transparency, a sufficient number of responses, and does not guarantee that the results accurately reflect the wages in a specific area.

The agency's inadequate process for collecting wage data could result in a prevailing wage that is set too low, which would hurt workers, or a prevailing wage that is too high, which would unnecessarily raise costs on federal construction projects, the report said.

As a result of the findings, GAO recommended that legislators consider amending language in the Davis-Bacon Act to allow the Labor Department to use metropolitan statistical data from the Bureau of Labor Statistics in determining the prevailing wage instead of voluntary surveys.

The results of the report were transmitted March 22 to House Education and Workforce Committee Chairman John Kline(R-Minn.). Kline could not be reached for a comment on the report.

### **Limited Responses Hurt Survey Results**

Between September 2009 and March 2011, GAO conducted its performance audit of the Labor Department's survey process for setting the prevailing wage. In the process, the agency interviewed about 30 stakeholders on the issue, including contractor and union representatives, and reviewed results from several published surveys.

The report attributed many of the deficiencies in the survey process to DOL's failure to consult with an expert on the design and methodology of the wage surveys. As a result, the agency failed to properly address issues with the way DOL analyzes and collects wage data. The report said that currently DOL does not calculate response and non-response rates, and that contractors reported errors and missing information in some of the survey forms.

GAO also noted in the report that the surveys, which are voluntary, attracted very few responses from employers. Based on the audited surveys, "one-quarter of the wage rates were based on six or fewer workers," the report said.

According to the report, contractors cited these reasons for lack of response:

- insufficient time or resources to respond to the surveys;
- limited understanding of the purpose for the surveys;
- unclear or confusing survey announcements from regional DOL offices; and
- unawareness of pre-survey briefings.



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## **Indiana Updates Information Bulletin Explaining Contractors' Sales Tax Liabilities**

The Indiana Department of Revenue issued a revised bulletin explaining that construction contractors are liable for sales and use tax on purchases of tangible personal property used in making improvements to real property.

Under Indiana law, sales of tangible personal property are subject to sales and use tax in Indiana, while sales of real property are not. When a construction contractor converts tangible personal property into real personal property by attachment, all of the construction materials purchased by the construction contractor are taxable, according to the bulletin.

A construction contractor includes a general or prime contractor, subcontractor, or specialty contractor or persons engaged in building, cement work, carpentry, plumbing, heating and cooling, electrical work, roofing, wrecking, excavating, plastering, tile work, road construction, landscaping, installing underground sprinkler systems, or making other improvements to real property.

Construction materials are defined as any tangible personal property intended for incorporation in, or improvement to, real property, such as doors, garage doors, garage door openers, windows, cabinets, garbage disposals, water heaters, water softeners, alarms, furnaces, central air conditioning units, gutters, carpeting, and fencing.

Text of Tax Information Sales Tax Bulletin 60, dated April 2011, is available at <http://www.in.gov/dor/reference/files/sib60.pdf>.

## **Michigan Governor Signs Bill Barring MIOSHA From Issuing Ergonomics Rules**

LANSING, Mich.—The Michigan Occupational Safety and Health Administration has been barred from issuing ergonomics standards for businesses by legislation (S.B. 20, P.A. 10) signed into law March 22 by Gov. Rick Snyder (R).

MIOSHA ceased work on an ergonomics rule earlier this year, after Snyder made clear he would not support it. The governor, who took office in January, is reviewing existing and proposed state regulations with an eye toward stopping those deemed unnecessary or too costly.

A state commission approved a draft rule in 2009, and MIOSHA had been awaiting completion of a regulatory impact statement on the draft before proceeding with the rulemaking.

“We all recognize the need to ensure employee safety in the workplace, but ergonomics regulations go too far, are too costly to implement and will impede job growth,” Snyder said in a statement announcing the new law.

Democrats opposed the legislation, which passed the state Senate Feb. 11 on a party-line vote, and cleared the House Feb. 24. They said a law banning an ergonomics standard was unnecessary and premature in light of the fact that the state has not adopted such a rule, and no federal regulation exists that would supersede a state standard.

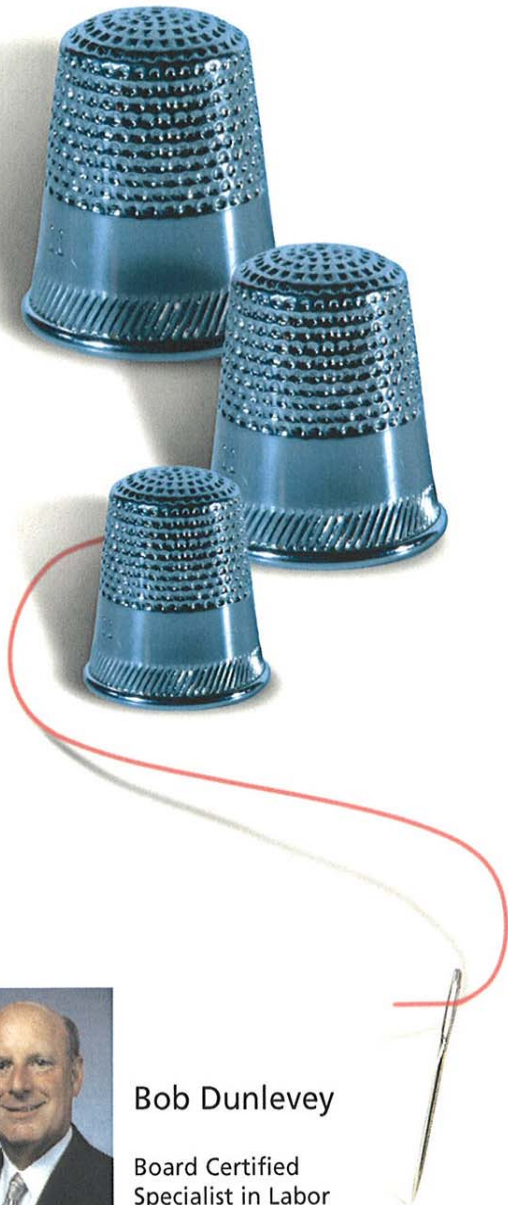


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April 7, 2011  
Construction Labor Report

## **Building Trades Pledges to Fight GOP Moves to Abolish Prevailing Wage, PLAs**

Building and Construction Trades Department, AFL-CIO, President Mark Ayers vowed April 4 that unions will continue to block attempts to cut the prevailing wage and eliminate project labor agreements.

Ayers' vow was part of a keynote address delivered to attendees of the BCTD annual legislative conference in Washington, D.C. Pledging to combat all attacks on union rights, he charged that members of the Republican Party are seeking the "eradication of all unions from the American landscape" with efforts to pass legislation that would repeal union rights in multiple states and at the federal level.

Other speakers on the first day of the conference, including AFL-CIO President Richard Trumka, Maryland Governor Martin O'Malley (D), Sen. Joe Manchin (D-W.Va.) and Rep. Eleanor Holmes Norton (D-D.C.) echoed Ayers's sentiments. Trumka said cutting the Davis-Bacon Act, lowering infrastructure spending, and removing PLAs, would not create jobs or improve America's competitive edge.

"We need to create a new economy that creates real jobs in America that support a family—instead of the empty promise of a job that may come decades from now. We need to create a new tax system and regulatory system that attracts industry and investment, instead of one that punishes businesses and costs us jobs," Manchin said.

An advertisement for industrial insulation products. The background shows a large industrial pipe wrapped in red insulation. Overlaid on the image is the text "High Temperature Insulation Textiles &amp; Accessories for Industry". Below this text are five circular inset images showing various products: "Felts &amp; Blankets" (stacks of white material), "Treated Fabrics" (rolls of orange and grey material), "Accessories" (a blue tray with various tools and components), "Threads" (spools of yellow and white thread), and "Hoopings" (a wooden hoop and other hardware).

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### **LEGAL SERVICES PLAN:**

This plan provides members with the ability to get back their investment in dues many times over. Every CSIA Member is entitled to one consultation per month with attorney Bob Dunlevey of Dunlevey, Mahan, and Furry. This firm specializes in Labor Law, OSHA, and Construction Contract Law.

### **BI-MONTHLY NEWSLETTER:**

The CSIA Newsletter highlights Association activities and upcoming events. It also brings news of the region, including labor and legal matters, items of general business interest, personnel changes within member companies, and information on new products and technologies available from member supplier firms.

### **FAX BULLETIN:**

The Bulletin brings industry news to our members in between newsletter issues. It also provides information in a condensed format and a great vehicle to get your message out fast to the rest of the membership!

### **SPRING LABOR SEMINAR:**

Spring of each year, CSIA holds its Annual Labor Seminar which covers 16 area agreements and labor trend updates. Attendees also have an opportunity for a great day of golf and lots of prizes. We also provide the *Labor Management Manual* which is an excellent reference manual for labor statistics and contract issues.

### **FALL CONFERENCE:**

Each year, a three day Fall Conference is conducted at a facility within or near the region. At this business conference, directors and committee chairs are elected and official business is conducted. Guests are welcome at this conference featuring outstanding speakers and workshop presentations. This conference is also a great opportunity for a little relaxation and recreation which is made even more valuable by the added chance to build social relationships with your colleagues from the insulation industry.

### **FULL TIME ASSOCIATION STAFF:**

CSIA Members receive the service of a full time staff; ready to give direct answers to your questions or to find the source with the answer you need. We have members on our staff who are well versed in labor relations, government affairs, construction industry issues, and inter-industry relations. We'll help you get the resources you need to keep your business running smoothly.

### **WEBSITE—[www.csiaonline.org](http://www.csiaonline.org):**

The website is a key item in our ongoing program to promote our CSIA Members. This website is not only designed to help the insulation customer find a CSIA Member in their area, it is also designed to help you the contractor stay informed about current issues that affect your business, as well as providing access to contractor services and product suppliers. Enjoy the convenience of online registration and dues renewal too!

### **ANNUAL SCHOLARSHIP PROGRAM:**

Each year, CSIA offers two \$1000.00 college or technical school scholarships to students who are the children of or under the legal guardianship of employees of CSIA member companies. The purpose of this Scholarship Program is to help two college students per year in a field of study that is relevant to the Mechanical Insulation Industry.

### **\*WORKERS COMPENSATION PREMIUM DISCOUNT PROGRAM**

### **\*DRUG FREE WORKPLACE COMPLIANCE PROGRAM**

\*Only applicable to CSIA Members doing work in Ohio

# 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*)

- |                                                 |          |                                       |                                                             |                                    |                                |
|-------------------------------------------------|----------|---------------------------------------|-------------------------------------------------------------|------------------------------------|--------------------------------|
| <input type="checkbox"/> Contractor             | \$385.00 | <input type="checkbox"/> Insulation   | <input type="checkbox"/> Abatement                          | <input type="checkbox"/> Unionized | <input type="checkbox"/> Merit |
| <input type="checkbox"/> Distributor/Fabricator | \$385.00 |                                       |                                                             |                                    |                                |
| <input type="checkbox"/> Associate              | \$473.00 | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> Sales Manufacturing Representative |                                    |                                |
| <input type="checkbox"/> Engineer/Specifier     | \$ 55.00 |                                       |                                                             |                                    |                                |

### 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 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. 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

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

*Make dues check payable to CSIA and return with application.  
Payment via Visa, MasterCard and American Express are also accepted.*

Card Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

Name on Card \_\_\_\_\_ Authorized Signature \_\_\_\_\_

Send back completed form and payment to:

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