

FEBRUARY 2012

# SMACNA Mid-Atlantic Chapter *Connections*

The Sheet Metal and Air Conditioning Contractors' Association

www.smacnaatl.org

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## Special Membership Meeting Called

SMACNA Mid-Atlantic Chapter Contractor Members are invited to attend a special meeting on Tuesday, February 21<sup>st</sup> regarding the Washington, D.C. Sheet Metal Pension Plan. Pension Fund Trustees **Keith Knarr, Don Hammond, and Scott Gregory** will be joined by pension attorney **Bill Ecklund** to discuss the resolution of the dispute as to what constitutes a qualifying employee.

The meeting will be held at 10 a.m. in the chapter's conference room at 7833 Walker Drive, Suite 640 in Greenbelt, MD.

## ACE Hosts Receptions for Virginia and Maryland State Law Makers

The Alliance for Construction Excellence had a busy month of January having participated in two legislative receptions. On January 11th, Bernie Brill represented SMACNA Mid-Atlantic Chapter in meeting with Virginia state senators and delegates in Richmond. The key issues of discussion were:

- Misclassification workers (payroll fraud of "independent contractors");
- Prompt and Fair Payment Policies in public and private construction;
- 5% retention on private construction;
- Opposition to the 27% increase in construction workers comp insurance rates.

On January 18<sup>th</sup>, members **Vince McGowan** and **Patrick Becker** of CMC Sheet Metal, **Stan Fleischer** of Seneca Balance of Maryland, **Jerry Robinson** of Stromberg Metal Works, **Tony Navarro**, JATC Recruiter, and **Bernie Brill** exchanged ideas and information on a variety of issues with Maryland State Senators and Assemblymen. The focus of most conversations was encouraging support for Governor O'Malley's initiative into putting more money into school construction and enforcement of Worker Fraud/Misclassification.

*SMACNA Mid-Atlantic is a member of the ACE Coalition that represents sub-contractors in Maryland, Virginia, and Washington, D.C.*

## Mark your Calendar:

**SMACNA's Legislative Issues  
Conference**

**May 2-4, 2012**

**Capital Hilton Hotel  
Washington, DC**



**Join Industry  
Leaders from  
Management and  
Labor**

**At the**

**2012 Partners in  
Progress  
Conference**

**March 8-10**

**Caesars Palace  
Las Vegas, NV**

**Talk with Labor  
Leaders**

**Explore New  
Marketing Ideas**

**Register  
Today!**

**[www.PinP.org](http://www.PinP.org)  
301/509-0813**



**Bernie Brill**  
Executive Director  
*SMACNA Mid-  
Atlantic Chapter*

## Two for One!

Who doesn't enjoy getting a bargain? When companies join SMACNA they essentially have the benefit of receiving two memberships for the price of one!

Consider the many companies from our region, they not only receive services from their local chapter, but may also take advantage of everything offered by the international association-- SMACNA National.

SMACNA National employs a highly talented staff of professionals that have expertise in a variety of areas. If you have a question about a legislative issue, a technical subject, or a labor matter, there is an excellent chance the answer is as near as your computer or phone.

SMACNA is working every day to raise the awareness about our industry by providing facts and figures on how contractors benefit their communities by creating jobs, providing safety training, establish standards, conduct research, and much more.

At the national level, SMACNA staff members work with the volunteer leadership in setting priorities and designing strategies to support or oppose legislation on Capitol Hill that directly affects us. They work with allied organizations and with coalitions to make sure our voice is heard and to win battles for our contractors. Locally, your chapter office works in a similar fashion representing your interests in Maryland, Virginia, and Washington, D.C.

When it comes to keeping members informed, both the national organization and the local chapter is providing our members with a variety of fantastic options. It is easy to stay abreast of developments regarding issues of concern through weekly and monthly newsletters, websites, webinars, and a host educational programs and seminars.

Topics include executive management, supervisory training, leadership development, along with other technical sessions. At the national level members select from programs offered at the SMACNA Annual Convention, SMACNA's Business Management University, Project Management Institute along with a healthy list of webinars that one can participate in without leaving their office. Alternatively, if preferred, members can attend programs locally offered by our chapter.

Make 2012 the year you put SMACNA to work for you. Get involved! Join a chapter committee and be sure to attend both the Legislative Issues Conference in May and the Annual Convention in October. You will be glad you did!

## Congress Halts Spending on Defense Spending on Green Building



The U.S. Congress is calling a halt to certain military spending on green building in a newly passed defense authorization bill (H.R. 1540). The bill prohibits use of Department of Defense funds to achieve LEED Gold or Platinum, with waivers possible if a cost-benefit analysis for the project can demonstrate payback. Exceptions may also be made without a special waiver if achieving Gold or Platinum “imposes no additional cost.”

The bill also requires that the Secretary of Defense submit a cost-benefit report by June 30, 2012 on the sustainable design standards used by the military for new construction and renovations. The report will look at cost, payback, and return on investment of each level of LEED certification individually, of LEED volume certification, and of ASHRAE standards 90.1 and 189.1.

The bill “represents a rollback of the federal government at the forefront of pushing green building and LEED,” according to green building attorney Shari Shapiro, Esq. “Over the last five years, the federal government has been one of the largest customers for LEED,” she says. Shapiro sees indications in other legislation that Congress is trying to “push back at the use of LEED particularly but also green building in general.”

The General Services Administration (GSA), part of the executive branch of government, has responded to executive orders by requiring LEED Gold certification for all new construction and major renovations of federal buildings—putting GSA and Congress on a potential collision course. According to Shapiro, when an executive order and congressional legislation are in direct conflict, the matter often ends up in court—and the legislative branch almost always prevails.

### SMACNA Members Featured in WBJ’s Book of Lists 2012

The Washington Business Journal lists EMCOR, parent company of **R.S. Harritan**, and Pierce Associates among its top Contractors in the region. The rankings are based upon 2010 revenue. **Pierce Associates** was third on the list of Mechanical Contractors, with Emcor being ranked fifth. Also listed were the largest ongoing construction projects (based upon project budget). The number one project was the Washington Marriott Marquis hotel, for which **United Sheet Metal** is the HVAC sub-contractor; number four on the list was the FDA project in White Oak, MD, for which **CMC Sheet Metal** is the HVAC sub-contractor.

### IRS 2012 Standard Mileage Rates

The Internal Revenue Service (IRS) has announced the 2012 optional standard mileage rates used to calculate the deductible costs of using a vehicle for business, charitable, medical or moving purposes.

Beginning Jan. 1, the standard mileage rates will be 55.5 cents per mile for business use, 23 cents per mile for medical or moving purposes, and 14 cents per mile in service of charities. The rate for business miles is unchanged from the adjustment effective on July 1, 2011.

The standard mileage rate for business is based on an annual study of the costs of operating a car. The IRS reminds taxpayers that they have the option of calculating the actual costs of using their vehicle rather than using the standard mileage rates.

## National Pension Fund Announces Significant Rehabilitation Plan Changes, Including Second Alternative Schedule

**In a January 9, 2012 broadcast notice, the National Pension Fund (NPF) announced several significant changes to the NPF's Rehabilitation Plan**

*According to the notice, the Rehabilitation Plan has been amended to:*

1. Provide for a Second Alternative Schedule (SAS) requiring a 3.5 percent annual contribution increase (which is one-half the current Alternative Schedule annual increase of 7 percent). Benefits under this schedule are adjusted in view of the lower contribution rate. This second alternative schedule is available only to parties who have adopted the alternative schedule and if all 7 percent annual increases have been paid.

The notice reminds that the Trustees have absolute discretion to approve or reject the adoption of any schedule by the bargaining parties.

2. Implement a "Make-Up" Contribution for areas that selected the original alternative schedule but paid less than the annual 7 percent increases in 2011 and 2012. (Areas that were mid-term in a collective bargaining agreement when the current schedule was released may have been paying 5 percent annual contributions based on a superseded alternative schedule.) Upon contract expiration, these areas will pay a 10 percent increase plus a 1 percent increase for each year that the 7 percent increase was not paid. Examples of this scenario and computation are provided in the attachment.

Note that the SAS (3.5 percent increase) is not available to bargaining parties that have failed to pay the current 7 percent annual increases unless and until all Make-Up Contributions have been made.

3. Specify the benefit reductions that will occur if parties to a collective bargaining agreement (CBA) adopted one of the two alternative schedules but fail to make the

required schedule contributions following the expiration of the CBA.

The notice emphasizes that the current alternative schedule (7 percent increases) and the default schedule (which does not currently require contribution increases) remain in effect.

## SMACNA Welcomes New Members

**Benedict Metal Works, Inc.** of Upper Marlboro, MD is the Chapter's newest member. Owned and managed by **James Sanders**, commercial HVAC, custom fabrication and service are among their specialties. For more information, please contact Liz Sanders at 240-545-1100 or email [lsanders@benedictmetals.com](mailto:lsanders@benedictmetals.com).

SMACNA Mid-Atlantic also welcomes **Carrier Rental Systems** as a new associate member. Carrier Rental Systems' services companies that require temporary rental equipment for heavy and light industrial manufacturing, commercial buildings, colleges and universities, hospitals and healthcare, and special events. The primary business is rental HVAC, dehumidification, and generators. For more information please contact **Ed Huffman** at 856-466-9499 or email [ed.huffman@carrier.utc.com](mailto:ed.huffman@carrier.utc.com).

## Associate Member Meeting Set for March 1

SMACNA Mid-Atlantic Chapter Associate Members are invited to attend a Suppliers Committee meeting on Thursday, March 1st at 10 a.m. to discuss thoughts and ideas on what can be done to help area contractors during these challenging economic times. The group will also discuss other programming ideas. The meeting will be held at the Chapter's office in Greenbelt, Maryland. *Please notify the office if you are planning to attend.*

## Hershon Appointed as New Head of ASA Washington

**Ed Hershon** has been appointed as executive director of the American Sub-Contractors Association of Washington, D.C. (formally DCMSA). Hershon has a strong background in construction having worked in the past for Stromberg Metal Works and the Army Corps of Engineers.

As executive director Hershon will be responsible for the operations of ASA Metro Washington which will involve membership meetings, awards banquets, recruitment of new members, and producing chapter communications and education workshops.

*For more information please call 703/366-3666.*

## Submit Your 2012 SMACNA Safety Survey

***Let's Bring Home More Winners!***

Please submit your safety survey through SMACNA's "improved" on-line survey program by clicking the link on the SMACNA Homepage ([www.smacna.org](http://www.smacna.org)).

This is a great opportunity to see how you compare with other like-size companies from across the U.S.! It is also an opportunity to assess your company's safety procedures.

You will need your SMACNA log-in and password as well as your 2011 OSHA 300 log information and company EMR. (and other related information requested on the survey)

*For more information please contact SMACNA's Mike McCullion at 703/995-4027.*

## OBITUARY *William David Bevirt*

William David Bevirt passed away on January 17, 2012 at Casa de la Luz Hospice, Tucson, AZ. He is survived by his loving wife Joan (Kern), whom he married March 22, 1973 in St. Louis, Missouri.

David attended Washington University (MO), served in the U.S. Army (Korean Conflict) and was President of D.F. Edwards Heating & Air Conditioning Co., St. Louis, Mo. He moved to Alexandria VA. and was employed by SMACNA, a trade association. He became co-administrator of NEBB, another trade association from which he retired. He traveled the world giving technical lectures and also wrote some 40 technical books on Environmental Systems Technology, Heating and Air-conditioning, Sound and Vibration, Clean Rooms, Duct Design, and others.

His awards and honors include the award of Fellow from ASHRAE, election to the SMACNA College of Fellows, and the NEBB Hightower Distinguished Service Award.

Memorials may be made to the Oro Valley United Church of Christ, 1401 East El Conquistador Way, Oro Valley, AZ 85704-7909, phone (520) 742-7333; or, to Casa de la Luz Hospice, 7740 N. Oracle Rd, Tucson, AZ 85704, phone (520) 544-9890."

*Many Thanks!*

Association dues were due by January 31, 2012. Many thanks to everyone who submitted their dues on time.

If you have not submitted your payment, please do so today.

## Supervisory Certification for Fire Life Safety

Space is filling up quickly for the Supervisory Level 1 certification class on February 7 and 8. The program will be held at SMACNA Mid-Atlantic Chapter's Conference Room.

Member companies wishing to be added to the list of companies certified to conduct inspections of smoke and fire dampers must have at least one Level 1 technician and one Level 1 Supervisor.

The February program will be led by Gary Andis and Chuck Holt from NEMI. Registration is \$40 per person and class size is limited. Call SMACNA Mid-Atlantic today!

## Upcoming Dates:

*February 21* – SMACNA Mid-Atlantic Chapter Suppliers Committee Meeting; 10 a.m.

*March 1* – SMACNA Mid-Atlantic Chapter Suppliers Committee Meeting; 10 a.m.

*March 8 – 10* – Partners in Progress; Las Vegas, Nevada

*March 14* – SMACNA Mid-Atlantic Chapter Board of Directors Meeting; 10 a.m.

*April 12 -14*—Northeast Sheet Metal Coalition Meeting; Marco Island, Florida

*May 2 – 4* – Washington Issues Conference; Capitol Hilton Hotel; Washington, D.C.

*May 17* – SMACNA Mid-Atlantic Chapter Annual Golf Tournament; Old South Country Club; 11 a.m.

## Foreman Training Program with Kevin Dougherty

Members spent a day with Kevin Dougherty honing their skills as foremen.

