

GPCSA News

November 2011

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From the Executive Director, Dana Oaks

From the Executive Director, Dana Oaks:

2011 in China is the Year of the Rabbit. According to Chinese tradition, the Rabbit brings a year in which you can catch your breath and calm your nerves. It is a time for negotiation. Don't try to force issues, because if you do you will ultimately fail. To gain the greatest benefits from this time, focus on home, family, security, diplomacy, and your relationships with men, women and children. Make it a goal to create a safe, peaceful lifestyle, so you will be able to calmly deal with any problem that may arise.

It seems in my opinion and observations the year of the Rabbit did not seem fit to bestow all of its offerings and guidance to members of the GPCSA as completely as the Chinese had envisioned this year. Were a lot of you able to catch your breath and calm your nerves so far in 2011?

The Greater Peoria Contractors and Suppliers Association and its members I am sure looked at the beginning of 2011 as a year that was to be filled with promise, and hope, and better times ahead much like Cub fans do every year. With that being said I would like to present some facts and figures that the staff has compiled so you can see how the trend lines up with what your firm has experienced, and also see how some of the numbers compare with previous years, because as they say, numbers do not lie.

One of the most important numbers reported to GPCSA is the hours worked by members of the building trades that we negotiate. These are the Peoria Laborers local #165, Operators #649, Carpenters #183, Iron Workers #112, Cement Masons #18-12 and #18-206, and Plasterers #18-12. These numbers reflect hours worked from January through the end of September.

2011 (964,559 hours), 2010 (1,170,104 hours), 2009 (1,215,502 hours), 2008 (1,559,662 hours). So comparing 2011 to 2008, there is a drop of 595,103 hours. We do need to keep in mind 2008 was a very good year for construction in the tri-county area.

The number of drawings our plan room processed and made available for our members has remained somewhat steady. These numbers are through the month of October. In 2009, we received 595 prints, in 2010 485 prints, and so far in 2011 522 prints. I seem to remember when I was an estimator working for a local firm I attended a pizza party at the old Main Street location for a celebration honoring the 1000th plan received so far that year. I will tell you if we ever receive 1000 plans we will revive that little tradition and have our own pizza party....Maybe 2012?

We have so far this year printed out 6,123 pages of drawings that members have purchased for their own use.

Our membership has declined slightly from 299 members in 2009 to 276 as of today's date. The major number of firms letting their membership lapse has been out of town suppliers looking to cut costs, retirements of owners that have shut the doors of their

From the Executive Director, Dana Oaks (continued)

business, and a few going out of business due to financial difficulties. The electronic plan room subscriptions have remained very steady with only a drop of two companies from 144 in 2009 to 142 today.

Prior to 2009, we had an office staff of five including myself. One staff member in 2009 left our association to join her husband in retirement. We have been operating since then with a staff of four.

2012 will be the Chinese year of the Dragon. The Dragon is the ultimate auspicious symbol signifying success and happiness. May the celestial Dragon bring good luck to everyone in the coming year!

Also, please find attached the following information:

- 1) **FASB Issues Multiemployer Pension Plan Standard**
- 2) **Employee Rights Under the National Labor Relations Act**

CALENDAR OF EVENTS

December 2, 2011
GPCSA's Annual Membership
Christmas Party

January 10, 2012
GPCSA's Annual
Membership Meeting

February 7, 2012
TRICON/PALM's
Annual Meeting

LETTER FROM THE PRESIDENT, Kevin Owen, Mathis-Kelley Construction Supply

I thought I would share a bit of my construction background with you.

I started with the Peoria Laborers' Local 165 in 1971 where I spent most of my days laboring for the bricklayer crews. I moved on to become a member of the Peoria Finishers' Local 12, working as a Finisher Foreman for several years, both in business for myself and for Otto Baum and Sons, Inc.

In 1994, I decided to leave the manual labor to the younger guys and took a job with Fort Transfer as a dispatcher of union teamsters. This was an eye opening experience into the world of union rules, union negotiations and managing union employees. I think it was this position that taught me the most about how to work with all types of people. Humor went a long way towards diffusing many a difficult situation at Fort Transfer and that has been a valuable lesson learned and carried forward with me throughout the years.

I left Fort Transfer after a few years and took my current position with Mathis Kelley Construction Supply Company as an outside salesman. I have been with MK for about 19 years now. I believe all the contacts throughout all my previous years of working in the construction industry led me to this job. It has made for a successful and smooth transition.

Six years ago Dana asked me to serve on the board of directors for the GPCSA. It has been a great experience and honor working with some of the best construction people in our industry. In closing, I would like to thank everyone for their support.

Respectfully,

Kevin Owen, GPCSA President

Welcome New Members

ASSOCIATE MEMBERS

(Subcontractors)

- **ComTech Holdings dba Xcell Mechanical, Mackinaw, IL**
- **Professional Contracting, Canton, IL**
- **Rock Solid Concrete Products, Inc., Peoria, IL**
- **Tile Specialists, Champaign, IL**

CONTRIBUTING MEMBERS

(Suppliers, Financial Services, Consulting Services)

- **IMCO Precast, LLC., Winchester, IL**
- **LELUND Ent. Inc., Lombard, IL**
- **Stetson Building Products, Rock Island, IL**

OSHA's Top 10 Violations for 2011 as presented at National Safety Council's 2011 Congress & Expo

- | | |
|----------------------------------|---|
| 1. Fall Protection | 6. Electrical—Wiring Methods |
| 2. Scaffolding | 7. Powered Industrial Trucks |
| 3. Hazard Communication | 8. Ladders |
| 4. Respiratory Protection | 9. Electrical—General Requirements |
| 5. Lockout/Tagout | 10. Machine Guarding |

FASB Issues Multiemployer Pension Plan Standard

BY MICHAEL COHN, ACCOUNTING TODAY

The Financial Accounting Standards Board has released a new Accounting Standards Update aimed at improving employer disclosures for multiemployer pension plans. Disclosures about an Employer's Participation in a Multiemployer Plan," is intended to encourage employers to supply additional information about their financial obligations to multiemployer pension plans. Those plans typically are used to provide benefits to union employees, who may work for many employers during their working life, allowing them to accrue benefits in a single pension plan for their retirement.

Up until now, employers have been required to disclose only their total contributions to all of the multiemployer plans in which they participated. The new disclosures, as proposed in July, go much further (see FASB Requires More Pension Plan Disclosures). They include the amount of employer contributions made to each significant plan and to all plans in total; an indication of whether the employer's contributions represent over 5 percent of the total contributions to the plan; an indication of which plans, if any, are subject to a funding improvement plan; and the expiration dates of any collective bargaining agreements and any minimum funding arrangements.

Another change involves the most recent certified funded status of the plan, as determined by the plan's so-called "zone status," a requirement of the Pension Protection Act of 2006. If the "zone status" is not available, an employer will be required to disclose whether the plan is less than 65 percent funded, between 65 percent and 80 percent funded, or at least 80 percent funded.

The update also requires a description of the nature and effect of any changes that affect the comparability for each period in which a statement of income is presented.

The September 2011 edition of "FASB in Focus" provides an overview of the main provisions in the update. For public entities, the enhanced disclosures will be required for fiscal years ending after Dec. 15, 2011. For nonpublic entities, the enhanced disclosures will be required for fiscal years ending after Dec. 15, 2012. Early application will be permitted.

EMPLOYEE RIGHTS

UNDER THE NATIONAL LABOR RELATIONS ACT

The NLRA guarantees the right of employees to organize and bargain collectively with their employers, and to engage in other protected concerted activity. Employees covered by the NLRA¹ are protected from certain types of employer and union misconduct. This Notice gives you general information about your rights, and about the obligations of employers and unions under the NLRA. Contact the National Labor Relations Board, the Federal agency that investigates and resolves complaints under the NLRA, using the contact information supplied below, if you have any questions about specific rights that may apply in your particular workplace.

Under the NLRA, you have the right to:

- Organize a union to negotiate with your employer concerning your wages, hours, and other terms and conditions of employment.
- Form, join or assist a union.
- Bargain collectively through representatives of employees' own choosing for a contract with your employer setting your wages, benefits, hours, and other working conditions.
- Discuss your terms and conditions of employment or union organizing with your co-workers or a union.
- Take action with one or more co-workers to improve your working conditions by, among other means, raising work-related complaints directly with your employer or with a government agency, and seeking help from a union.
- Strike and picket, depending on the purpose or means of the strike or the picketing.
- Choose not to do any of these activities, including joining or remaining a member of a union.

Under the NLRA, it is illegal for your employer to:

- Prohibit you from soliciting for a union during non-work time, such as before or after work or during break times; or from distributing union literature during non-work time, in non-work areas, such as parking lots or break rooms.
- Question you about your union support or activities in a manner that discourages you from engaging in that activity.
- Fire, demote, or transfer you, or reduce your hours or change your shift, or otherwise take adverse action against you, or threaten to take any of these actions, because you join or support a union, or because you engage in concerted activity for mutual aid and protection, or because you choose not to engage in any such activity.
- Threaten to close your workplace if workers choose a union to represent them.
- Promise or grant promotions, pay raises, or other benefits to discourage or encourage union support.
- Prohibit you from wearing union hats, buttons, t-shirts, and pins in the workplace except under special circumstances.
- Spy on or videotape peaceful union activities and gatherings or pretend to do so.

Under the NLRA, it is illegal for a union or for the union that represents you in bargaining with your employer to:

- Threaten you that you will lose your job unless you support the union.
- Refuse to process a grievance because you have criticized union officials or because you are not a member of the union.
- Use or maintain discriminatory standards or procedures in making job referrals from a hiring hall.
- Cause or attempt to cause an employer to discriminate against you because of your union-related activity.
- Take other adverse action against you based on whether you have joined or support the union.

If you and your coworkers select a union to act as your collective bargaining representative, your employer and the union are required to bargain in good faith in a genuine effort to reach a written, binding agreement setting your terms and conditions of employment. The union is required to fairly represent you in bargaining and enforcing the agreement.

Illegal conduct will not be permitted If you believe your rights or the rights of others have been violated, you should contact the NLRB promptly to protect your rights, generally within six months of the unlawful activity. You may inquire about possible violations without your employer or anyone else being informed of the inquiry. Charges may be filed by any person and need not be filed by the employee directly affected by the violation. The NLRB may order an employer to rehire a worker fired in violation of the law and to pay lost wages and benefits, and may order an employer or union to cease violating the law. Employees should seek assistance from the nearest regional NLRB office, which can be found on the Agency's website: www.nlr.gov

Click on the NLRB's page titled "About Us," which contains a link, "Locating Our Offices." You can also contact the NLRB by calling toll-free: 1-866-667-NLRB (6572) or (TTY) 1-866-315-NLRB (6572) for hearing impaired.

¹**The National Labor Relations Act covers most private-sector employers** Excluded from coverage under the NLRA are public-sector employees, agricultural and domestic workers, independent contractors, workers employed by a parent or spouse, employees of air and rail carriers covered by the Railway Labor Act, and supervisors (although supervisors that have been discriminated against for refusing to violate the NLRA may be covered).

This is an official Government Notice and must not be defaced by anyone



U.S. Department of Labor